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Monday 5 October 1992

Assemblée législative de l'Ontario

Deuxième session, 35^e législature

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Lundi 5 octobre 1992



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 5 October 1992

• The House met at 1334.

Prayers.

MEMBERS' STATEMENTS

PROPERTY ASSESSMENT

Mr Bernard Grandmaître (Ottawa East): Market value assessment is not only an issue in Metropolitan Toronto; it's also a growing issue in the Ottawa-Carleton area, where residents are awaiting a decision by the regional council on the issue.

However, there is a growing concern in the Ottawa-Carleton area that the NDP government may not let the local municipal officials decide the issue. Rumours abound that the provincial NDP is actively considering forcing Ottawa-Carleton to adopt market value assessment whether the local municipalities want it or not. This would fly in the face of stated NDP policy in the rest of the province and would intrude on the municipalities' responsibilities for deciding this issue. Rumours of this provincial interference are threatening the regional council's vote on this issue. They know that the NDP are watching and may overturn this decision if they vote against MVA.

The Minister of Municipal Affairs or the Minister of Revenue should make his or her decision clearly known as soon as possible, and definitely before the regional vote is held. If the rumours are correct, the NDP should clearly state their intention to force market value assessment. If the rumours are false, the NDP should clear the air with a direct promise that they will not force market value assessment on Ottawa-Carleton.

CORPORATION FILING PROGRAM

Mr David Tilson (Dufferin-Peel): My statement today deals with the newest tax grab initiated by the Ministry of Consumer and Commercial Relations, a filing program for incorporated businesses and non-profit corporations. This is yet another example of how this NDP government chooses to do business in Ontario: It's underhanded, unfair, without accountability and without consultations.

The corporation filing program was started in July of this year and through regulation, not legislation so that it could be properly debated in the House, and began almost immediately sending out thinly veiled letters to corporations asking for the \$50 filing fee, or else.

I would like to read an excerpt from one of those letters sent to all corporations throughout the province: "Failure to provide this information correctly and within the time allotted can have serious consequences that may affect your corporation status."

What kind of thinly veiled threat is that supposed to be? Why does the Ministry of Consumer and Commercial Relations feel that it has to stoop to these kinds of threats? These are law-abiding, taxpaying job providers of our

province. What possesses the NDP government to treat our corporate citizens like criminals with a bad record?

Businesses within Ontario are tired of dealing with a government that obviously views them with disdain and as a necessary evil. Your lack of consultation on this and many other programs, not the least of which is Bill 40, where you essentially ignored any business suggestions, proves over and over again your lack of respect towards the business community of Ontario.

JOBS ONTARIO

Mr Derek Fletcher (Guelph): Mr Speaker, I remember you were listening to the 1992 budget when this government created the Jobs Ontario Training fund, Capital fund and Housing fund, which are going to renew the economy and get people back to work.

Mr Alvin Curling (Scarborough North): Where is it now; what happened?

Mr Robert V. Callahan (Brampton South): What happened? Tell us.

Mr Fletcher: Let me tell you what happened. Guelph was the first Ontario community to access both the Jobs Ontario Capital and the Jobs Ontario Training funds for major projects that will get our friends and neighbours back to work and rejuvenate our local economy.

The Jobs Ontario Training fund will create more than 270 jobs at Linamar. This first agreement ever signed under the fund sets aside more than \$2.6 million to train workers whose unemployment insurance has run out or who are on social assistance.

The Guelph Civic Centre was the first Jobs Ontario Capital fund agreement signed in this province. It will provide \$2 million over the next three years to construct a dynamic Guelph civic and cultural centre. The centre will create over 200 jobs and revitalize our river front, enrich our artistic community and bring increased tourist trade to downtown Guelph.

The Jobs Ontario Capital fund will also provide \$410,000 for renovations at Guelph public and separate schools.

In Guelph we've also been helping industry and jobs through other government initiatives. Glengarry Industries of Guelph has received a \$2.5-million term loan under the Ontario Development Corp. This assistance will help this local manufacturer increase its production and expand its North American and global market.

This is how I spent my summer vacation: helping the people of Guelph.

OTTAWA SENATORS

Mr Robert Chiarelli (Ottawa West): I would like to bring to the attention of the House that the week of October 1 to October 8 has been proclaimed Ottawa Senators Week in Ottawa-Carleton. A number of events and activities are taking place throughout the region in celebration of

the return of the Ottawa Senators and the National Hockey League to Ottawa.

Mr Cameron Jackson (Burlington South): They should be playing in Hamilton. I hope they lose every game.

The Speaker (Hon David Warner): Order.

Mr Chiarelli: Showing support for the community for which they are now very much a part, the Senators organization includes within its activities the hosting of fund-raising receptions for two charitable causes, the Ottawa Civic Hospital and the Canadian Cystic Fibrosis Foundation.

The week's events will culminate on Thursday night, when the Senators host the Montreal Canadiens for their first NHL season opener since 1933, with opening ceremonies including the unveiling of nine Stanley Cup banners. Yes, the old Senators won nine Stanley Cups.

To the owners, coaches, players and fans, I would like to wish the Senators the best of luck in their return to the NHL. I am confident that the day will not be too far off when they will bring the Stanley Cup back home to Ottawa.

And my friend Mr Morin says, "Vive les Sénateurs d'Ottawa."

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MENTAL ILLNESS AWARENESS WEEK

Mr Allan K. McLean (Simcoe East): My statement concerns the masks that cover faces, cover feelings and cover up. The focus of the October 4th to 10th Mental Illness Awareness Week, which is jointly sponsored by the Canadian Psychiatric Association and the Schizophrenia Society of Canada, is on the masks of schizophrenia and Alzheimer disease, as well as anxiety and depression.

Look under the mask of schizophrenia and you'll find people of all ages, races and economic backgrounds. It is an illness that can often be treated with medication and social supports.

Look under the mask of anxiety and depression and you'll find a face you'll probably recognize because none of us gets through life without our share of both.

Psychotherapy, anti-depressant medications and training in methods of relaxation can all work together to lift the clouds of anxiety and depression.

Look under the mask of Alzheimer disease and you'll find the face of 300,000 Canadians. While medical science searches for a cause and a cure, support groups have been formed for those affected and their loved ones.

During Mental Illness Awareness Week we must all look under the mask of all mental illnesses to find the stressed, vulnerable human beings who deserve the chance to get well again. They deserve to be seen for who they really are.

GRAND RIVER

Mr Mike Farnan (Cambridge): This past summer I approached the 20 MPPs from the Grand River area, asking them to support the designation of the Grand River as a Canadian heritage river. The Grand River Conservation Authority is working to have the Grand River be Canada's first heritage river in a settled area available for the use and enjoyment of thousands of Ontarians. It is also the first

time an entire river system, not just a section, has been nominated. The authority's hard work in preserving our human past and our recreation areas will be appreciated not just by all of us but by future generations.

I would like to publicly commend the MPPs who wrote to the Ministry of Natural Resources asking for support for the Grand River designation, and I am gratified by the prompt and positive response by the minister, Bud Wildman, who has committed the ministry to working with the ministries of Tourism and Recreation, Culture and Communications and the federal government to ensure the completion of the management plan. Eventually, I hope this multilateral and non-partisan effort will result in the designation of the Grand River as a Canadian heritage river, the heritage river that the citizens of Cambridge already know it is.

PLANT CLOSURE

Mr James J. Bradley (St Catharines): On July 9 of this year I introduced a resolution into the Legislature that received unanimous consent and unanimous support. It stated the following:

"That, in the opinion of this House, since General Motors announced its intention on February 24 of this year to close its St Catharines foundry eliminating over 2,000 employment positions in addition to 750 women and men who were to be laid off indefinitely as of March 1 and over 100 people who will lose their jobs as a result of the decision to discontinue the 3.1-litre V-6 engine; and

"Since the St Catharines General Motors foundry is a cost-competitive, world-class, high-quality operation with a highly skilled and motivated workforce; and

"Since the loss of these jobs will mean the loss of \$130 million in wages and salaries to the economy of the Niagara region and the province of Ontario; and

"Since the implications for businesses and industries that service and supply the auto sector are extremely negative and serious; and

"Since whenever a production line and a significant part of a plant shuts down, the fixed cost of maintaining the rest of the operation increases and the quality of components from elsewhere cannot be guaranteed;

"The Legislative Assembly of Ontario should urge General Motors to continue the operation of its foundry in St Catharines."

For the sake of our community, for the sake of our province and our country and the automotive industry, I urge members of the Legislature to continue to back Local 199 CAW Fight Back committee in its efforts to keep that foundry open.

INVESTMENT FUND

Mr Charles Harnick (Willowdale): I rise today to implore the provincial government to re-examine its policy on the Ontario investment fund. The Ontario investment fund is another example of an ill-conceived NDP initiative that will have a negative effect on the private sector.

This government must come to the realization that it does not have the expertise to invest in private sector growth. In light of the government's financial history, it is

not surprising that the people of Ontario do not want the NDP managing their pension funds. Pension fund members do not want their retirement funds managed by a government that can't manage its own finances.

The people of Ontario are concerned with the voluntary aspect of the Ontario investment fund. There is concern that the government will coerce private funds into participation.

Unlike the provincial government, pension fund managers have fiduciary responsibility to invest in the best interests of the pension fund members. Furthering the political aims of the NDP is not the business of pension funds. The exclusive function of pension funds should be the production of the financial returns necessary to provide future income.

For most people, pension funds will be the foundation of their retirement incomes. The provincial government has no right to gamble with an individual's future income. On behalf of the people of Willowdale, I ask the provincial government to respect the independence of private pension funds.

EVENTS IN MUSKOKA-GEORGIAN BAY

Mr Daniel Waters (Muskoka-Georgian Bay): It is with great pride and pleasure that I rise today to tell you about two fantastic events that took place in my riding in September.

First, I'd like to thank Mr Barry Faulkner and the many volunteers for their time and efforts to bring to and host at Bracebridge the Kids of Steel World Junior Triathlon. It was indeed a great event.

Second, also in September, we had the opportunity to host the World Triathlon Championships in Huntsville at the Hidden Valley-Deerhurst area of Muskoka. Championships were held from September 10 to 12. This extremely successful event attracted over 1,800 athletes from more than 50 countries. Over 1,000 people from the Huntsville area volunteered their time, and many thousands more from Ontario, Canada and other countries came out to watch the competition.

Bringing the triathlon championships to Huntsville not only provided some great entertainment for the spectators and showcased the beautiful Muskokas to 1,800 people from 50 countries, but it also brought an estimated \$8 million to the area.

I want to congratulate all the athletes who participated in the championships, especially the winners, most notably our own Canadian men's team, which not only had the largest team there but also won the men's elite division.

In closing, I would again like to commend the people from Huntsville, especially the volunteers, the local businesses, the resorts, the town leaders and athletes for making a spectacular event very possible.

STATEMENTS BY THE MINISTRY AND RESPONSES

APPRENTICESHIP TRAINING SYSTÈME D'APPRENTISSAGE

Hon Richard Allen (Minister of Skills Development): Apprenticeship is Ontario's principal workplace

training system, involving 53,000 apprentices and 25,000 employers. Apprenticeship training is the schoolroom of a highly skilled workforce. It teaches workers skills that are in demand, giving them greater flexibility to plan their careers. The impact of technological change and restructuring demands a revitalization of apprenticeship training.

Nos principaux partenaires dans ce processus sont les 21 comités consultatifs provinciaux qui représentent les intérêts de métiers spécialisés particuliers. Ils se composent de travailleurs et d'employeurs qui, en collaboration, me conseillent en matière de formation et de certificats de reconnaissance professionnelle.

At this very moment, 110 members of the provincial advisory committees, or PACs as they are called, which govern the essentials of the apprenticeship system, are meeting for the first time as a group for two days in Toronto to discuss priorities in training policy and programs, which will lead, among other things, to the revitalization of apprenticeship.

Two representatives of the provincial advisory committees are here today in the gallery: Esther Lee, an employer representative and former chair of the cook PAC, and Joe Fashion, a union representative and present chair of the construction and maintenance electrician PAC. I ask them to stand so the Legislature may greet them.

Ontario's industrial future depends on our ability to attract high value added jobs. A highly skilled workforce will help create those jobs in Ontario and strengthen economic renewal, so I am pleased today to announce that the government will invest \$13.6 million in additional funds to revitalize apprenticeship training over the next three years.

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Revitalization will involve three steps.

First, we will expand the school-workplace apprenticeship program. The program enables high school students to train as registered apprentices while completing their high school diplomas. It is a joint effort of my ministry, the Ministry of Education, workers, unions, employers and community groups and it has been praised by the Economic Council of Canada.

My ministry intends to work with training stakeholders to increase the number of school boards participating in the program from 35 to 95 over three years. We want to provide opportunities thereby for good careers with good wages and a future to the two thirds of high school students who do not go on to college or to university.

The second step in this revitalization is to make improvements in training in existing trades and develop training for new occupations. Through consultations with the provincial advisory committees that I've just referred to, existing training standards will be updated regularly, as they have not been in the past.

The ministry will also work with stakeholders to establish PACs and develop apprenticeship training standards for occupations that are in demand and for occupations in new and emerging technologies. Ongoing consultations with the provincial advisory committees, other ministries and training stakeholders will ensure that all training is relevant and consistently meets the needs of workers and employers alike.

The third step is increasing access to training.

Les femmes, les autochtones, les membres de minorités raciales, les personnes handicapées et les francophones auront plus facilement accès à l'apprentissage. En forgeant des partenariats au niveau communautaire, on éliminera les obstacles qui empêchent l'accès équitable aux programmes de formation.

Counselling, support and advice will be provided to equity groups through community outreach activities. Customized projects will be developed to meet the needs of these groups and to facilitate their entry into apprenticeship training.

This, of course, is simple fairness and supports the government's objective for greater equity in the workplace. It is also an issue of economics and demographics. These groups will comprise the majority of new workers by the year 2000, so it only makes sense to plan now for the needs of tomorrow's workforce. My ministry will accomplish this goal in collaboration, again, with the provincial advisory committees.

Through partnerships with workers, unions, employers, educators, trainers, community groups and provincial ministries, we will build a more vital apprenticeship system. This initiative creates a solid base that will ensure the Ontario Training and Adjustment Board, once established, receives a strong, vital and relevant apprenticeship training system to operate.

CONSTITUTION DAY

Hon Tony Silipo (Minister of Education): As members know, we are in the midst of an historic time, one that will set a course for the future of this country. I'm referring, of course, to the October 26 referendum.

Educating young people for citizenship is an important aim of every school system. Students need to appreciate the benefits and recognize the responsibilities of community membership, to acquire knowledge about the structures and function of government and to develop the skills necessary to participate in resolving public issues.

While most students are not eligible to vote, they can have an influence in urging the adults in their families to become informed and to vote on October 26. Therefore, I am pleased to inform the House that I am asking our schools to set aside Monday, October 19, as Constitution Day in Ontario schools.

I encourage all schools to involve students in activities that will help them understand the issues in the referendum. Students will then be able to discuss these issues with their families. My ministry will be sending to schools guidelines with suggestions on how to incorporate referendum discussion within the curriculum. We will also send a special Constitution Day poster to the schools.

I am also pleased to note that TVOntario is producing a special program in French and English on October 19, which we are encouraging schools to watch.

It is important to underline that school activities on Constitution Day will not be used as platforms for either the Yes or No side in the debate. They are intended to be a forum for informing students and, through them, their families about the issues.

I believe students can learn valuable lessons about how decisions are made in our democracy and how citizens can express their views through public debate and the electoral process.

The Speaker (Hon David Warner): Statements by ministers? Responses.

APPRENTICESHIP TRAINING

Mr David Ramsay (Timiskaming): I'd like to say to the minister that we welcome his statement today on apprenticeship training. I wish he had come out with this two years ago, instead of OTAB last year, because this is the type of program we do need.

I wish you well in that program. It's long overdue. We are falling way behind other jurisdictions, especially European jurisdictions, when it comes to apprenticeship training. I think they have long realized that training on the job has got to be the most solid way to get young people entered into the workforce, so we need to go on with this.

I have a concern, when we do get OTAB up and running, whenever that may happen, that you certainly don't scuttle this program if it is successful, as I wish it will be successful. This has to be a strong component of the eventual overall Ontario Training and Adjustment Board program.

I would say that you are a little behind some of the experience that's already happening in Ontario at some of the high schools. I have one in my riding, in Haileybury, that has had an apprenticeship training program for the last couple of years, and unfortunately it had to go to the federal government to get money for that. I would hope that the Ontario government now would start to fund these high school level entry apprenticeship programs, as you say in your announcement, so that high school students can also upgrade their academic standards while at the same time having on-the-job training.

The minister mentions access to people who have not normally had good access to the workplace. I think that's very important. I'd like to remind the minister that on this weekend the welfare rolls in Metro had increased by 2,000 people, primarily single mothers laid off from the retail and garment trade. So access is going to be important. Also, the child care supports should be there for these people.

I think again it's going to be important that as we move along with OTAB, there be proper integration. But I wish the minister well on this and I want to work with him to make sure this is a successful program.

CONSTITUTION DAY

JOURNÉE CONSTITUTIONNELLE

Mr Charles Beer (York North): I rise to welcome the statement by the Minister of Education. Indeed, I think it is very, very important that this kind of day be set aside so that the students, not just those at the OAC level, many of whom will be able to vote for the first time, but indeed all students can have a sense of what the issues are and in a way which is not directed to a certain conclusion but is really directed to inform. It will be of great benefit.

I'm sure the minister has had the opportunity, as I have over the last several weeks, to join in a number of schools,

both at the OAC level and at the elementary level, to talk with students about the referendum, about the whole constitutional debate. One of the things I felt particularly good about has been the level of interest. In fact, at one school last week, I walked in, it was an OAC class, and I said, "How many people are going to be voting for the first time?" I think everyone in the room—there were some 30—except two students was going to be voting for the first time in this referendum.

They clearly are interested. They wanted to know the issues. They had done homework. They were troubled by different questions and different issues. Indeed, there aren't simple answers to a lot of the questions that are posed, but I think to the extent that we can involve them in this debate, and really involve them, then we're going to come out of this all the stronger.

Je pense qu'il est aussi très important, Monsieur le Ministre, qu'on va avoir cette discussion à l'intérieur des écoles de langue française comme dans des écoles de langue anglaise.

Comme tout le monde le sait, ce week-end passé, l'Association canadienne-française de l'Ontario a tenu une réunion très importante où les francophones de l'extérieur du Québec, en Ontario, ont dit qu'ils vont dire à leur communauté de voter oui.

Je pense qu'il est important de démontrer l'appui pour l'accord en général, mais ce serait aux étudiants eux-mêmes de prendre une décision sur cette question, après une discussion et un dialogue profonds dans les salles de classe.

I'd simply close by noting that during the course of the last week we've seen some very important things happening in this debate. Together with my colleague from Durham-York, from the New Democratic Party, and my federal colleague from the federal riding of York-Simcoe, who is a Progressive Conservative, we've launched our campaign on the Yes side in the federal riding of York-Simcoe. My colleague from Mississauga West, again together with representatives of the other political parties, has gotten involved in launching the Yes side.

While the focus here will be on a debate among students for them to make up their own minds, let's underline again the need for us to get involved and, as I think so many of us want, to really get out, talk to people, and let's get a Yes vote on that referendum.

1400

APPRENTICESHIP TRAINING

Mrs Dianne Cunningham (London North): I'd like to take the opportunity first to speak to the Minister of Colleges and Universities and Skills Development, to tell him how intrigued I am by his statement of the day and how we in this party feel we definitely know that apprenticeship training is a number one priority in the province of Ontario, and it's time that this government got on with it.

I suppose it's not news to know that there are a lot of needs in apprenticeship training and, to start with, the school-workplace apprenticeship program. I think it was a year ago that I spoke to the new Minister of Education and asked him what he was going to do about the SWAP

program. At that time, we could only find some 55 students being trained in the programs in all of Metropolitan Toronto or the greater Toronto area. That is not acceptable.

To the minister, although he's talking about his expansion, we're going to wish him the very best of luck in moving from some 35 boards that have very few people in the SWAP programs to some 95 boards within three years. It's going to have to be a priority for his ministry, because it is a priority for our young students in this province who want to be trained while attending secondary schools and want to get jobs when they graduate. The best of luck in that regard.

With regard to the consultation with the provincial advisory committees, the existing training standards will be updated regularly. The real issues, and I want the minister to understand that, are really very, very deep. I'm talking about the ratio of journeyman to apprentice. I'm talking about wages for apprentices. I'm talking about the accessibility for an apprentice to get into the program. We have a long way to go.

Just looking at A Lot to Learn: Education and Training in Canada, A Statement by the Economic Council of Canada, we should know that here in Canada the total number of apprentices right now is 122,000. Do you know what the number is in West Germany? Some 1.8 million.

I have to tell you also that as a proportion of the labour force right now in Canada, 1% of our labour force is in apprenticeship training programs. In West Germany—

Mr George Dadamo (Windsor-Sandwich): That's good.

Mrs Cunningham: No, it's not good. It's not good enough; it wouldn't be good enough three years from now. In West Germany, it's 6.1%.

You should know the average age of apprenticeship and the length of apprenticeship training programs in Canada. The average age of an apprentice is 26 years of age, with four to five years to complete the program. In West Germany, the average is 17—those are secondary school students—and the number of years to train those young people is two to three years.

These are the objectives that we should be looking at. We don't have to talk any more. Since I've been in this House, for four years, we've had the information. We know where we should go. What we really need to have announced, Mr Minister, in January or as soon as you can get it on this plate, is what we're going to do and how we're going to do it to meet these objectives.

The cost of apprenticeship programs is \$170,000 per apprentice in Canada and \$51,000 in West Germany. Apprenticeship wages—need I say more? You know we're way below the West Germans and what they're doing there.

The bottom line is, I hope the minister will accomplish his goals. We'll do everything we can to help. What can I say? This was the best information that we gave to the Liberal government. That was four years ago, when I first arrived at Queen's Park. It's the best information and the best support we can give to this government, but it's up to them to make it happen. We've been waiting a long time, more than a decade, and I can only say, "Good luck."

CONSTITUTION DAY

Mrs Dianne Cunningham (London North): With regard to the Minister of Education establishing a special day, October 19, I don't have the statement, Mr Minister, but I was aware that we were going to have a special day in our schools as an opportunity for young people and their teachers and families and the community to talk about this great country of ours and, yes, certainly in the context of the referendum.

I hope, as I know parents hope, that the young people and the adults of this province will take this opportunity to get themselves educated around (1) that we live in the best country in the world and (2) that in spite of my criticisms from time to time in this House, I still believe we do most things very well, including education, but we have to do better, because other countries are catching up and many have passed us by.

This opportunity, I think, will be for our young people to say that they can vote for this country and that they will be informed, and I hope that they will vote, in my opinion, Yes for Canada.

MEMBER'S PRIVILEGE

Mr Steven Offer (Mississauga North): I rise on a point of privilege, Mr Speaker. In this regard, I refer to standing order 21(a), which reads:

"Privileges are the rights enjoyed by the House collectively and by the members of the House individually conferred by the Legislative Assembly Act and other statutes, or by practice, precedent, usage and custom."

In addition, 21(b) states:

"Whenever a matter of privilege arises, it shall be taken into consideration immediately."

Accordingly, as a result of the wording of rule 21(b), which requires the matter to be immediately taken into consideration, I have submitted this issue to you in writing. My initial point of privilege is directed to that part of rule 21(a) which reads "by practice, precedent, usage and custom."

As the member for the riding of Mississauga North and a member of the opposition, I have been particularly involved in Bill 40, proposed amendments to the Ontario Labour Relations Act. Members of the Legislature and, in particular, members of the standing committee on resources development will know that I have actively participated in this bill and, in this case, my opposition to it through question periods, reading petitions, public hearings and currently in the clause-by-clause deliberation of the bill.

You will also be aware, Mr Speaker, that a motion was passed by the government on July 9, 1992, which among other things limits clause-by-clause analysis of Bill 40 to eight legislative days. I refer to that part of the motion:

"Further, that the committee be authorized to meet for clause-by-clause consideration of the bill following routine proceedings on the first eight sessional days of the fall meeting period of the House."

The clause-by-clause analysis of Bill 40 started last Wednesday, September 30, proceeded through Thursday and is scheduled to continue today, tomorrow, Wednesday

and Thursday. It will not take place next Monday due to the Legislature not sitting as a result of Thanksgiving, and will then resume for the next two days, being brought to an end by the motion on Wednesday, October 14.

For religious purposes, I will not be able to take part in the clause-by-clause deliberations tomorrow or Wednesday. It is for me and members of the Jewish faith our most solemn day. In this regard, I informed members of the resources development committee of this matter on August 31. As a result, a motion was unanimously passed September 1 requesting the House leaders to amend the July 9 motion to accommodate me as Labour critic.

I have been informed by my House leader, the member for Bruce, that the government House leader will not be making any such change, amendment or accommodation to myself. This of course means that I, as Labour critic for my party, will not be able to attend the clause-by-clause proceedings tomorrow or Wednesday, and when one follows the motion of July 9 which limited clause-by-clause to just eight days, the two days for which I cannot be present represent 25% of this stage of the bill.

Since first being elected in 1985, I have always taken it as a matter of practice and custom that if a critic cannot be present for a proceeding of a bill of which the critic has responsibility, accommodation is attempted, within limits and reason.

To me this is a matter which falls squarely within the parameters set forth in rule 21(a). This is a matter which was, firstly, anticipated; secondly, brought forward to the resources committee; thirdly, advance notice was given to the government House leader; fourthly, the motion to request accommodating myself was passed unanimously by the committee having carriage of the legislation, and lastly, the request was for a limited amount of time, in this case two days.

Today, this is a matter of my privilege, but tomorrow it may be for other members of the Legislature. I would ask the Premier to overrule his House leader.

The rules of the Legislature, rule 21, demand that I bring this to your attention for your consideration. I submit my privileges have been eroded, not only individually as set out by rule 21(a), but also in fact collectively for all members in this Legislature who sit in critic roles.

Today it is my privileges which have been affected, but in a true and very real sense, it is not only my privileges, but includes all members who will be affected. I ask, Mr Speaker, that you find the actions of the government in this matter to have breached my privileges as a member and critic through the practice and custom of the Legislature of the province of Ontario.

1410

The Speaker (Hon David Warner): To the honourable member for Mississauga North: May I say first at the outset that I very much appreciate the way in which he has approached this matter of privilege. He did indeed serve notice to the Speaker and provided the Speaker with a copy of the notes from which he spoke. It is a matter of importance and it's one which I wish to consider.

I must say, to be fair to the member, that on the surface it would not appear that there is a case of privilege in your favour. However, I would like to spend a bit of time to take a further look at this because I do think the member has raised for the House a matter to be considered seriously.

Hon David S. Cooke (Government House Leader): Mr Speaker, I would be more than happy, and it would be appropriate, to discuss this further with the opposition House leaders. There was nothing done here to try to be mean-spirited or anything else. When the three House leaders first discussed—

Mr Chris Stockwell (Etobicoke West): No, you're not mean-spirited. Trudeau is mean-spirited. Let's keep that straight.

The Speaker: Order.

Hon Mr Cooke: When the three House leaders discussed the date for return to the House, there was also a discussion in the House leaders' meetings about the Legislative Assembly committee needing very soon to look at the whole issue of religious holidays as it applies to the Ontario Legislature and the fact that the calendar and everything else we do in this place very much reflects Christian holidays and does not reflect other holidays as it should appropriately. We need to look at that in the Legislature because it's not just Christian and Jewish holidays; there is a whole other reality that this place needs to take into consideration in Ontario in 1992.

In the meantime, we're going to have to ad hoc it, and I would be glad to sit down with the opposition House leaders again to take a look at the very important and realistic concerns that were expressed with respect to Bill 40. I believe it can be sorted out and the member can be accommodated and should be accommodated.

The Speaker: I appreciate the comments of the government House leader. I trust all members realize that while discussions may occur among the three House leaders, your Speaker has to deal with the rules as they are presently constituted. I am pleased to reflect on the matter and trust that perhaps the three-way discussion will bring about a pleasant result as well.

Mr Offer: Mr Speaker, a matter of clarification: As the days I was referring to are going to commence tomorrow, I would hope, Mr Speaker, and indeed through you to the government House leader, that this matter is dealt with before that time period expires.

ORAL QUESTIONS

POLICE JOB ACTION

Mrs Lyn McLeod (Leader of the Opposition): My first question is for the Solicitor General. The Solicitor General will be well aware of the action that has been taken by Metropolitan Toronto police officers. I would ask the Solicitor General if he can tell the people of this province what he is doing to ensure that public safety is protected.

Hon Allan Pilkey (Solicitor General): I am in fact aware of the actions of the Metropolitan Toronto Police Association. I wish to respond—

Mr Chris Stockwell (Etobicoke West): There's a first.

The Speaker (Hon David Warner): Order.

Hon Mr Pilkey: I wish to respond to the Speaker that I am in fact troubled by these particular actions. These are matters that are within the responsibility and purview at this point in time of Chief McCormack and the chair of the police services board. I know they are dealing with the matter and I hope it is quickly and effectively resolved.

Mrs McLeod: I am reassured that the minister has at least been informed of the developments. I recognize that he is not accepting any responsibility for dealing with the possible consequences. I would remind the minister that he is the chief law enforcement officer in this province and that the police need his support in order to be able to do their job. Mr Minister, they're not getting it.

Instead of involving the police as partners in solving problems that may exist, your government seems intent on excluding them. I would give the minister just one most recent example of this: When the Clare Lewis commission on race relations and policing held its hearings in Thunder Bay last week, hearings which are not open to the public and which are by invitation only, it is unbelievable that the Thunder Bay Police Association was not invited to make a presentation to that task force.

Minister, I ask you: How can police officers in this province have confidence in a process that simply shuts them out?

Hon Mr Pilkey: I wish to take issue with the Leader of the Opposition's remarks in terms of the question she just asked. She indicated that the policemen and police-women of this province were not getting my support. Of course, that is far, far from the truth of the reality. As a matter of fact, she will well remember announcements I have made in this House with respect to providing some \$45 million to the OPP for the hiring of some 241 additional officers and more than \$5 million for additional training in the use of force, to the benefit, and which will ultimately be to the credit, of our men and women serving us in these forces.

Mrs McLeod: It's unbelievable that the minister responded to my question about involving the police in the process of dealing with the problems of policing in this province by telling me about the increased resources to policing. Surely the minister is aware that cutbacks in the OPP budgets mean that many communities in this province don't even have 24-hour police coverage.

But that really was not the thrust of my question. The thrust of my question was that police forces feel shut out. The police across this province are becoming more and more frustrated, and quite frankly, it is my belief that people across this province are getting more and more frightened.

Your mismanagement of policing issues, Mr Minister, has created a growing fear across this province that when people need the police, the police won't be there, and there is no question that the police across this province are feeling alienated and that they are demoralized. They believe that this government does not value their work and does not trust them.

Minister, what have you to say to the hardworking police officers across this province who believe that you have already judged them and found them guilty?

Hon Mr Pilkey: What I have to say to those people is to not believe or get caught up in the kind of political rhetoric we have just heard from the benches opposite. What I would have them believe and have them understand, as I would all members opposite and all members of this province, is that this government has addressed, and is addressing right now, some of the fundamental changes in the framework, which is going to increase the benefit to all citizens in terms of the policing they've had in this province. They're fundamental changes in terms of professional standards and in terms of training that will equip these men and women to protect the public even better. They are far more progressive than anything we saw emanating from those benches opposite in the last five years.

1420

ONTARIO HYDRO PRESIDENT

Mrs Lyn McLeod (Leader of the Opposition): My second question is to the Premier for explanations on a different issue. Premier, as you know well, Alan Holt, the president of Ontario Hydro, left his position two weeks ago. At the time, we found it strange that he would do so while he was on holidays. I can tell you today that despite the statements that were made last week by the Minister of Energy saying that Mr Holt had retired, we have questions about the events surrounding Mr Holt's departure.

Premier, is it also your position that Alan Holt in fact resigned? Do you also say that Mr Holt was not fired and was not asked to leave by any member of your government?

Hon Bob Rae (Premier and Minister of Intergovernmental Affairs): I refer the question to the Minister of Energy.

Hon Brian A. Charlton (Minister of Energy): First of all, the information we got from a release that Ontario Hydro did last Thursday is that Mr Holt retired. Second, I think the Leader of the Opposition asked whether we had directed his leaving, and the answer to that question is no.

Mrs McLeod: I regret the fact that the Premier referred this question to the minister, because we were hoping the Premier would help us to reconcile the kinds of statements the minister made and is continuing to make with what we feel is some evidence to the contrary.

How do you explain, then, Minister, that at the board meeting on September 19 the members of the Hydro board were presented with a letter, signed by you, directing them to ensure that Mr Holt would leave Ontario Hydro? How do you explain that the Hydro board voted 7 to 5 to fire Mr Holt, if in fact Mr Holt resigned his position? Will you confirm that a letter was sent over your signature to the members of the Hydro board directing them to get rid of the president of Hydro?

Hon Mr Charlton: In response to the Leader of the Opposition's question, yes, I sent a letter to the chair of Ontario Hydro. The letter I sent, and which I'm prepared to release publicly, did not direct the dismissal of the president of Hydro. It will be released, and the member can

view the letter for herself. As to why the board voted the way it voted, that's a question I think she'll have to put to the board of Ontario Hydro.

Mrs McLeod: I would be delighted if the minister would table the letter, as I understand that no board member was allowed to retain it so that it could be subsequently shown to anybody outside that boardroom. I think, however, that the minister missed the point of the question. I wondered why the Hydro board had to vote to fire Mr Holt if in fact Mr Holt had retired or offered his resignation. It is also my understanding that Marc Eliesen phoned certain insiders on the Hydro board the day before to discuss Mr Holt's firing and to tell them how they would have to vote.

I simply ask the minister, in face of all these things, do you still deny that Alan Holt was in fact fired, do you still claim that he resigned of his own free will, do you still maintain that you had absolutely nothing whatsoever to do with the departure of Alan Holt?

Hon Mr Charlton: The question which the Leader of the Opposition has asked deals with two completely different issues. What she's done in the first part of her question is to confirm what I said last week, which is that the president and the incumbent in that position at Hydro is a decision of the board of Ontario Hydro. Their discussions around that issue at their board meeting are theirs to discuss, to determine and to vote on in the way they see fit.

The letter which I sent to the chair of Ontario Hydro, having been informed that Ontario Hydro was considering a range of transition issues, was a letter which suggested—

Interjections.

The Speaker (Hon David Warner): Order.

Hon Mr Charlton: —that any discussions around the question of the presidency should include the new chair of Hydro in consultation with the board.

Mr Leo Jordan (Lanark-Renfrew): On a point of privilege, Mr Speaker, I would like to refer the Minister of Energy to my question of September 30: "My question to the minister is, did your ministry give any direction? Did you have any input into the board regarding Mr Holt leaving the corporation at this time?" The minister's answer was, "The answer to this question is, very simply, no."

The Speaker: What is the member's point of privilege?

Mr Jordan: My point of privilege is that the minister withheld information from the people of Ontario and from this House. He did know that day and he did not come clean with the information he had.

The Speaker: Would the member take his seat, please.

The member has quite clearly identified a difference of opinion with respect to certain events. The member does not have a point of—

Interjections.

The Speaker: Order. The member does not have a point of privilege. However, it is time for the third party's first of two questions; who wishes to take the questions?

Mrs Dianne Cunningham (London North): On a point of order, Mr Speaker: I would like you to review the

matter that has just been raised, both by the Leader of the Opposition and by the member for Lanark-Renfrew, with regard to this question. Obviously, the answer the minister has given was different to one person over another, so I officially request you to look into the matter.

The Speaker: To the member for London North: I'm always pleased to reread Hansard—it's my favourite reading material—so I will do that again on this occasion. But I now invite the third party to put forward a question.

POLICE JOB ACTION

Mr Robert W. Runciman (Leeds-Grenville): I'm going to attempt to direct this question to the Premier, in the expectation that he will refer it.

In relation to the work-to-rule campaign now being conducted by many officers in the Metropolitan Toronto Police Force, we in this party don't condone the actions of the Metro officers—I want to make that clear—but I think we understand very much their frustration. Police tensions across this province are growing. We saw that clearly indicated in the turn-down of the contract by the Ontario Provincial Police. We saw it in the Ontario Provincial Police Association non-confidence motion this summer in your government, an unprecedented initiative by police officers in this province.

In my view, never in the history of this province has a Premier been more insensitive to policemen and police-women, and I'm asking the Premier, in response to this work-to-rule campaign, how his government intends to try and overcome this situation, the bad relations with police, and perhaps establish a new relationship on much better grounds with the police officers of this province.

Hon Bob Rae (Premier and Minister of Intergovernmental Affairs): Mr Speaker, I would refer that question again to the Solicitor General.

Hon Allan Pilkey (Solicitor General): I think it's fair to first of all respond to the question with respect to the OPPA. The member opposite will recall that the OPPA had complained that it was not this government, or just this government, but the preceding two governments that, in their view, had heaped additional requirements on them without providing the resource to handle it.

I'm pleased to say that while they suggested it therefore had to be us, as the present-day government, at whose doorstep they had to lay this difficulty, I'd indicated to the executive of the OPPA that, given time, I would be able to address this situation for them. I was very pleased, as I had mentioned in a response earlier today, in announcements that I made earlier in this House, to be able to deliver on that promise; that promise was for additional money, considerable amounts of money, and additional resource so that they might better serve and protect the citizens of this province. That's what's been done to ensure better relations with the OPPA.

In terms of the other policing community, the regional, municipal and local police forces, we continue with consultations with the many police stakeholders and other community groups with respect to ensuring that we enhance the fundamental principles of policing and that we're able to have the kind of training and professional

standards that will see us all better served well into the future.

Mr Runciman: This minister continues to have his head in the sand, even when you look at the fact he only has one ministry to be responsible for now. He still has his head in the sand and is unaware, or apparently is giving the public the impression that there's no problem with respect to relations between this government and police officers across the province.

The Premier again refuses to respond to questions like this, but at the same time he's quite prepared to stand up and defend the indefensible with respect to the comments his parliamentary assistant made about police officers in this province not too many months ago.

The Solicitor General is standing on his feet today in this House and saying that he has no problem with respect to relationships with police officers in this province, that they're outstanding relationships in terms of lines of communication, and that couldn't be further from the truth. We just have to look at the brief record of this government in office: the appointment of Susan Eng to chair of the Metropolitan Toronto police board and her contempt for the oath of office to the Queen, the deputy chiefs who retired from the Metro Toronto Police Force and complained about political interference—

The Speaker (Hon David Warner): Would the member place a question, please.

Mr Runciman: —the Attorney General's efforts, in fact his involvement in the Brian Rapson case, where he launched a preferred indictment against Constable Brian Rapson.

We have problems, we have dramatic increases in crime in this province, and this government is portraying police officers in this province as the bad guys.

1430

The Speaker: Would the member ask a question.

Mr Runciman: There are bad guys out there committing crimes and you're handcuffing police.

Will the minister acknowledge the deep antagonism that exists between his government and the police and tell us what he plans to do about it?

Hon Mr Pilkey: The reason I responded to the member opposite in the fashion I did—and let's just do a very quick and brief review, because I know you'll only allow me a certain time to do it, Mr Speaker, in response.

There have been ongoing consultations with the police stakeholders and all associations relevant thereto. We have brought forward one of the most exciting training programs, I think, that this Legislature and this province have seen for decades, perhaps ever. We certainly have come forward with respect to the funding issue, which I've indicated twice in the House here this afternoon.

I will admit as well that during this period of change there will be, as there is in all periods of change, certain consternation or uncomfortableness develop in the minds of some, but I say with every confidence that I believe the changes we have been making and are making with respect to the training and professionalism of our men and women are going to stand the test of time and prove to be

something that is well done in terms of public safety and officer safety alike.

Mr Runciman: The reality is that this government has given the police no support, and in fact has worked against the police from day one and will not listen to police concerns.

With respect to the regulatory changes, I want to quote a couple of officers briefly. Peel Regional Police Chief Robert Lunney called the regulation change "a careless disregard for public safety and for the ability of police to defend themselves. To expect police officers to make a distinction between what will cause loss of life or serious bodily harm in the midst of a critical incident with seconds to act is asking the impossible."

We've seen this Solicitor General simply act as a puppet for the anti-police forces in the Premier's office. We've seen the Premier of this province virtually label all Metro police officers as racist with respect to comments he made after a weekend meeting. We are all quite familiar with that.

Based on what's happening now and what may happen in the future—there's a meeting coming up this Wednesday with other police associations in this province—is the Solicitor General, hopefully along with the Premier, prepared to meet with this police association's initial move with respect to the Metro association's concerns, meet with the police officers first hand, the people who have to face those kinds of difficult decisions on a daily basis, and hear what they have to say?

The Speaker: Will the member complete his question, please.

Mr Runciman: Are you prepared to hear what they have to say?

Hon Mr Pilkey: Since taking office, this government has always been supportive of consultations and partnerships. We've been criticized roundly from time to time from the benches opposite for doing so or doing so ad nauseam.

As I indicated earlier, we have constant meetings between myself and officials of my ministry and staff with the Police Association of Ontario, with the Ontario Association of Chiefs of Police and the police services boards of Ontario. If any of these representative groups wish to meet with us, they are of course welcome to do so. That would represent no change from the kinds of discussions we've had on an ongoing basis already.

ONTARIO HYDRO PRESIDENT

Mr Leo Jordan (Lanark-Renfrew): My question is again for the Minister of Energy. Mr Minister, in all fairness in giving information to another member, I asked you a straightforward question on September 30 and you gave me a very straight answer: No, you had not issued any directive, you had not done anything relative to directing the board on the relieving of Mr Holt of his position. Would you now please read the letter that you did in fact send to the board?

Hon Brian A. Charlton (Minister of Energy): I don't have a copy of the letter with me this afternoon, but the question which the member asked me last week and

the answer I gave to that question is an answer I stand by. The member asked me if I directed or influenced the leaving of Mr Holt, and the answer is still no.

Mr Jordan: I had the opportunity over the weekend to discuss the leaving of Mr Holt with a member of the board, and my information is that the decision of this government and the Minister of Energy was that Mr Holt must leave before the end of October and in fact before the appointment of a new chairman, and, therefore, the meeting was called to deal with the situation even though Mr Holt was out of the country. Was that something strictly between Mr Eliesen and the board, Mr Minister, without your being informed, or were you aware of this meeting and the purpose of it?

Hon Mr Charlton: As I said to the Leader of the Opposition in response to a question earlier, the question of succession at Hydro was brought to my attention. As a result of that knowledge, I wrote a letter to the chair. That is quite different from the member's contention that somehow this minister or this government started that discussion.

Mr Jordan: The minister earlier stated that he was informed by a press release; now he's telling us a different story. I think the people of Ontario deserve to know if you, the Minister of Energy, realize your responsibility and accountability to the people of Ontario under Bill 118. Did you really and truly not participate in even the lead-up to this decision that Mr Holt should be relieved of his duties?

I understand from his speech and presentation to the Quarter Century Club that you and others were very displeased with some of his remarks, especially a short story which he told in fun about a canoe club and why one club was leading the other one. The case was that there was a heavy weight in the nose of the Hydro canoe. I understand that weight in the nose of the Hydro canoe is leaving—

The Speaker (Hon David Warner): Will the member complete his supplementary, please.

Mr Jordan: —at the end of October and he's going to see, with your assistance, that the president goes with him. Is my assumption correct?

Hon Mr Charlton: That was a lengthy comment, and I'm not sure of all the assumptions he wanted me to respond to in that set of comments. I might say at the outset—

Interjection.

The Speaker: The member for Burlington South, come to order.

Hon Mr Charlton: —some of the comments the member for Lanark-Renfrew and his leader have made over the course of the last 10 months since I've been in the ministry could have led people to believe they were dissatisfied with Mr Holt's performance as chief operational officer at Hydro as well, but I don't think that's precisely the issue here. I think the issue here is whether or not—

Interjection.

The Speaker: Order.

Hon Mr Charlton: —as the member asked me originally, I directed or influenced Mr Holt's leaving. He's tried to tie that to a comment I made about a retirement last

week. The whole point is that any decisions in that respect are the decisions of the Hydro board, not this minister.

1440

Mrs Lyn McLeod (Leader of the Opposition): Mr Speaker, I'm sure we'll have an opportunity later on today to review in Hansard the statements the minister has made and to reflect back on the statements he made in this House last week and attempt to reconcile what seem to be somewhat contradictory statements. We will certainly be interested in the minister's seeming to have a greater awareness of the situation than might have been conveyed to him solely through a press release.

But while we await the minister's public release of the letter, as he's indicated he will do—and I acknowledge that I have not seen a copy of that letter because it was not left with Hydro board members; it was not tabled with them individually; it was read out—I ask the minister whether it is his belief that there is anything in that letter which would reasonably lead Hydro board members to believe that with a letter over the signature of the minister there was, if not a recommendation for Mr Holt's retirement being sought, at the very least an instruction that Mr Holt was not to remain with Hydro.

Hon Mr Charlton: Again, as I said earlier in a response today and as I said to some of the media who spoke to me last week, my concern and the expressions that were set out in my letter were about the management of Ontario Hydro and a difficult period Ontario Hydro has to go through and that in the context that I understood succession matters were being discussed I thought it would be useful if the new chair of Ontario Hydro were a part of any decisions made.

Mrs McLeod: Perhaps I could just ask the minister for one further word of explanation on something which seems to us quite inexplicable. The minister has suggested that he's aware that Ontario Hydro is going through what he calls a "range of transitions," which some of us might describe as sheer chaos. In light of the fact that Ontario Hydro is facing some very critical situations and has some very tough decisions to make, it seems a little unusual that Mr Holt would be leaving as quickly as he is now leaving; I believe the date is October 12. Mr Eliesen of course is leaving by the end of the month. It would appear that there's a period of time in which there will be nobody in charge of Ontario Hydro. Can the minister explain how this situation could possibly have been allowed to occur and assure us again that he had nothing whatsoever to do with creating this chaos?

Hon Mr Charlton: Again I refer to questions that came from both of the opposition parties earlier this year which would have described some of what's going on at Hydro as chaos in any event. The decisions being made by the board of Hydro, whatever precisely they may be, are decisions that, under the act, are assigned to the board of Ontario Hydro, specifically the president's position. This minister, although he has expressed his concerns about Hydro rate increases, the need to cut operating expenses at Hydro and a number of other issues, has not directed the dismissal of anyone.

Mr Jordan: My question again is for the Minister of Energy. Mr Minister, did the fact that the policy that Mr Holt was pursuing to have approximately 2,000 personnel of Ontario Hydro leave on an early retirement plan and the fact that CUPE was against using over \$62 million of the pension fund for that purpose—do we have a case here where the union overruled the president?

Hon Mr Charlton: The member opposite is, I guess, clearly indicating that he hasn't been following the issue of Ontario Hydro operations very closely at all.

Interjections.

The Speaker: Order. Would the minister take his seat, please.

Interjections.

The Speaker: Minister.

Hon Mr Charlton: This minister issued a press release about two and a half weeks ago and spoke publicly to the media and this province about the need for Ontario Hydro to pursue cuts further than what were already accomplished, and this minister stands by those comments. The need to get Ontario Hydro costs of operation and capital programs under control is paramount in these difficult times.

Mr Jordan: Mr Minister, I can recall, when Mr Franklin was leaving, the Premier stating that they had given him a choice. The Premier stated he was given the opportunity to stay on if he so wished.

If you, Mr Minister, and your government had absolutely nothing to do with the leaving of Mr Holt and you heard about the resignation or the proposal for early retirement or the dismissal, whichever your letter stated—we are looking forward to seeing it—did you consider at that time a letter to Mr Holt, giving him the opportunity to reconsider and stay employed as president and chief executive officer of Ontario Hydro?

Hon Mr Charlton: The member is displaying his total confusion in this case. Mr Franklin was the president and chairman of Ontario Hydro. The chairman's position is a Premier's appointment. The Premier and the government had some direct role in that position. Under the legislation the member was a part of moving through this House, the president's position, which Mr Holt holds, is separate from the chairman's position, which is the Premier's appointment. The president's position, under section 6 of the act, is clearly and exclusively the responsibility of the Ontario Hydro board.

NOTICES OF REGISTERED RENT

Mrs Irene Mathyssen (Middlesex): My question is to the Minister of Housing.

Interjections.

The Speaker (Hon David Warner): Order. Would the member take her seat.

Interjections.

The Speaker: The member for Middlesex.

Mrs Mathyssen: I appreciate the opportunity to ask a question in the House. My question is to the Minister of Housing. Madam Minister, I understand from a situation in

my own riding that notices of information regarding legal rents have gone out from your ministry. Is this happening on a province-wide basis?

Hon Evelyn Gigantes (Minister of Housing): The answer is yes. Many members will have heard about this happening within their own ridings. The Ministry of Housing, under the previous residential rent act, was obliged through regulation to send out notices of registered rent, those rents which had been registered by landlords with the rent registry office. Those notices have been mailed out over the last several months to about 285,000 rental households in Ontario so that tenants can be made aware of what rent is registered officially as the rent, and therefore they're able to calculate what their rent should be if the legal increases have been followed.

What it has meant is that about 6,000 rental households have made an application for a rent rebate based on those notices. That's worth about \$3 million, if they're all approved, for tenant households in Ontario.

VICTIM FINE SURCHARGE

Mr Robert Chiarelli (Ottawa West): My question is to the Attorney General regarding the victim fine surcharge. Last week I received a confidential phone call from an Ontario judge to express great concern on the misappropriation of the funds collected by this surcharge. In fact, this particular judge indicated to me that there was a wide consensus among the judges in Ontario that this was a misappropriation of trust funds.

Five other attorneys general in the country, five other provinces, established trust funds for the fine surcharges. They acknowledge that the moneys collected were collected in trust. This Attorney General deposited \$800,000 into his general account and as a solicitor, as an attorney, he should well know his responsibilities for trust funds. It was sad and pathetic to see the minister on Focus Ontario indicate that judges were speaking out of turn on this issue in saying that there was a misappropriation of funds, that they ought not to be talking about this issue.

1450

My question is this: In view of the fact that five attorneys general in this country, five provinces of this country, have acknowledged that these funds are trust moneys and these five provinces have set up trust funds, will the minister now acknowledge that it is proper and appropriate and moral for him to immediately segregate this \$800,000 and put it into a trust fund, as most attorneys general acknowledge is proper?

Hon Howard Hampton (Attorney General): Mr Speaker, allow me to try to cut through some of the rhetoric and the bombast which I assume is intended to substitute for the lack of any real focus to the question.

The fact of the matter is that in 1989 the federal government passed enabling legislation which would enable provinces to set up, if they wished, special funds using a victim fine surcharge scheme of operation. The fact of the matter is that five provinces have taken the federal government up on that; five have not. Some of those that have taken up the federal government on that have encountered some difficulty with the operation of their victim fine sur-

charge scheme. Some, like Ontario, have looked at the different schemes that can be operated and how those schemes might be operated.

That is all that there is to this. We have talked with other provinces, with victim advocacy groups around the province, to determine how this might be operated. As for the rest of the member's question, I am sorry; he can make as much bombast out of this as he wishes; there is nothing more to it.

Mr Chiarelli: The real focus of the question is the fact that this minister recently rejected a request for \$78,000 for the victim services program of Hamilton-Wentworth, a project which that community gives high priority to because of circumstances in that community. Having collected \$800,000 of what a consensus of judges and five provinces called trust funds, he lets that \$800,000 go into the general revenues of the province, misleading the judges of this province, and yet he denies \$78,000 to the community of Hamilton-Wentworth, which is in dire need of these funds for its victim services program. Minister, are you prepared today to transfer that \$800,000 to a special trust account and are you prepared to consider using \$78,000 of that money for Hamilton-Wentworth?

Hon Mr Hampton: Again, to correct the wrong impressions that the member tries to create, this ministry already funds a victim-witness program in Hamilton. It's a very effective victim-witness assistance program. It is true that Hamilton has made a request for some other services. That request went to the Ministry of the Solicitor General, since that is a program that is administered by the Ministry of the Solicitor General, and they were told there were not funds available. Frankly, in these difficult economic times, governments across the country, governments across the continent, receive requests from all kinds of organizations which we are simply not able to meet.

Let me point out to the member opposite that he says there is \$822,000 that has been collected that hasn't gone towards victims. This is the amount of money that has gone towards victims: \$9.8 million to the Criminal Injuries Compensation Board, despite the fact that the federal government has taken its contribution out; \$70 million to the wife assault prevention initiative; \$17 million to the sexual assault prevention initiative, and many millions of dollars to the victim-witness assistance program, over \$100 million, far more than that party was ever able to contribute or willing to contribute to victims when it was the government.

EDUCATION POLICY

Mrs Dianne Cunningham (London North): My question is to the Minister of Education. Mr Minister, as we've been in the schools in the last couple of weeks, and I'm sure many members of this Legislative Assembly have been, I think there are many parents and teachers and certainly trustees, as well as members of this assembly, who are beginning to think your ministry is simply out of control.

We get so many questions with regard to: Where is the finance solution? When will the Fair Tax Commission's report be tabled? Where is your comprehensive document on destreaming? When will you announce the capital grants that should have been announced last spring? Why have

you asked the school boards to remark on your Benchmarks on Mathematics documents, which are simply just benchmarks documents. They're drafts for grades 3, 6 and 9. We've heard that governance is being discussed, and we've actually had the rumour that school boards will be dismantled and parent groups will take over. There is such chaos. The last one is, how do you expect these school boards to work together and coordinate when you don't give them the resources to do it?

My question, Mr Minister, is, with all of these issues, if you had to accomplish one thing between now and the end of this fall session, what will you specifically work on and get done before we break for Christmas?

Hon Tony Silipo (Minister of Education): There were so many questions in that question that I'm not sure how to begin to address it, but if I can go from the actual question that was asked, I think what I can say to the member opposite, who I know is very interested not just as the critic but personally in all of these issues, is that it's my expectation that certainly during this session it will be possible for us to set out in a fairly clear fashion some of the directions we would like to explore or proceed with in all those areas.

I think some of the questions she's asked she already has the answers to. She knows, for example, with respect to the financing issue that we have two processes that are under way which are coming together later this fall. The Fair Tax Commission process, the property tax working group, whose report we are expecting shortly, will give us, we hope, some good options or some good ideas with respect to the issue of how moneys for education should be raised and funded. We are working through the advisory council I have established, and it's been meeting now over the summer for some time, on looking at the general legislative grants and what other options we should put in place to improve the system we've got in place now.

I think the documents we've put out with respect to benchmarks are our ongoing way to consult with school boards around some of these changes, but as I say, I would think we should be in a position later this fall to be able to come forward with some of these issues that are put together in a more coherent fashion.

Mrs Cunningham: This is a traditional question that's been asked for the last four falls when we've gone back to school, since I've been in this House, first of all to the Liberal government, which was working on these same benchmarks, this same curriculum, this same finance, this same partnership, this same coordination, and all we get is, "We're going to discuss." The education community and the schools of this province need leadership, and it's totally missing.

My supplementary question to the minister is with regard to something that is extremely important, and that's accountability. I would like the minister to stand up in this House and tell me how a draft document, Benchmarks on Mathematics, for grades 3, 6 and 9, will prove, or what kind of good advice it will give to parents about how well the students in those elementary and secondary grades are doing across the province of Ontario? How will they be

accountable? Marks, grades: How will they be accountable? Specifically tell me how.

Hon Mr Silipo: The accountability isn't resolved with one draft document. The point of the draft document is to set out some options and some ways in which we can get to a point in our school system where we can say very clearly to parents and others in the community and the system itself—in which we can, first of all, delineate very clearly the kinds of expectations we have of the system, the kinds of skills our students should be able to master by various points in their education career, and then be able to have a framework that measures that progress in a way that's understandable not just to teachers but is also understandable to parents.

That is done, as all good teachers can tell us, by looking at a combination of factors: by looking at written tests, by looking at the kind of work students do on a day-to-day basis, by looking at assignments they are given. It's that combination of all of those things, that kind of examination by a teacher of the students' progress, using all of those tracking tools, that in fact will tell us how well students are doing.

That's the kind of process we believe we need to develop, that's the kind of process we are developing. At the heart of it is our strong belief that our system needs to be clearly accountable to the parents in the system.

1500

AGRICULTURAL LABOUR POLICY

Mr Donald Abel (Wentworth North): My question is directed to the Minister of Agriculture and Food. When amendments to the Ontario Labour Relations Act were first proposed, there was much speculation as to what effect they would have on the farm community. Recognizing that the needs of the farm workers are unique, the Task Force on Agricultural Labour Relations was developed.

My riding of Wentworth North consists of many farmers. In fact, Wentworth North is one of the largest producers of broccoli in the world. There have been many questions and legitimate concerns about what direction agricultural labour relations are going in. Could the minister explain to the farmers of Ontario exactly what the status of the task force is and how long it will be until agricultural labour relations are implemented?

Hon Elmer Buchanan (Minister of Agriculture and Food): The task force report on agriculture and labour was released on June 26 with several recommendations. On August 27, the Ministry of Labour announced, on behalf of the government, that we would accept all the recommendations contained in the task force report.

Included in the recommendations was one to have separate legislation to deal with agricultural workers; there was a recommendation not to have strikes in the agricultural sector, there was a recommendation to have an alternative dispute settlement mechanism, and there was also a recommendation to have education to educate farmers, farm workers, about rights under any legislation that might be introduced.

The Minister of Labour then asked the task force to go ahead and do some more work on how those recommendations would look and how they might be put

in place. They were to report to him at the end of September.

It's been going very well. They've been cooperating very well with government and with organized labour. They've asked for an extension, in order to report, of a few more days, and they're coming back with their report.

Mr Abel: I'm sure the farmers not only of Wentworth North but also from all over the province are anxious to know when you expect to have the legislation brought before the House.

Hon Mr Buchanan: Assuming that the task force is able to work out all the minor glitches—they have been doing very well in coming together and coming up with recommendations, as I understand it—probably a week or two after we receive that report, legislation could be introduced in the House.

Mr Steven Offer (Mississauga North): I have a question, again to the Minister of Agriculture.

I was listening very closely to the last response because, Mr Minister, you will know that presently, under the Ontario Labour Relations Act, agricultural and horticultural workers are excluded. You will also know that under Bill 40, the proposed changes to the Labour Relations Act, this exemption for the farm community has been eliminated.

I think you should recognize, and we want to hear from you, that the Ontario Federation of Agriculture in our public hearings process has indicated that it wants that exclusion for farm workers to continue until separate legislation has been established.

My question to the Minister of Agriculture is, what is your position? Do you agree with the Minister of Labour that the exclusion for the agricultural community should be eliminated, or do you agree with the Ontario Federation of Agriculture, which demands that the exclusion be reinstated?

Hon Mr Buchanan: It's not a matter of agreeing with one or the other. The Ontario Federation of Agriculture has worked with and supported the work of the task force, which suggests that there be separate legislation. Calling for exemptions under any regulation or any other legislation is not a moot point here. They are supporting separate legislation, which will be introduced, as I mentioned a few minutes ago. It's not an either/or circumstance by any means.

Mr Offer: The Minister of Agriculture just does not understand the ramifications of Bill 40. You are supposed to be an advocate for the farming community. You will know that under Bill 40 the exclusion that now exists for farm workers in this province has been eliminated and replaced by potential inclusion by regulation.

The Ontario Federation of Agriculture—and I am receiving many telephone calls and letters from the farm community across this province—is very concerned. They want you to stand up and say you are against that portion of Bill 40 which may include them by way of regulation. They want you to stand up and tell them what your position is. Are you in favour of the position of the Ontario Federation of Agriculture, which wants that exclusion to continue until separate legislation is introduced, or are you in favour of that portion of Bill 40 by the Minister of

Labour which may very well include the agricultural workers in this province by way of regulation? What is your position?

Hon Mr Buchanan: I'll try and make this as clear for the member as possible. I said a few minutes ago that there will be separate legislation introduced which will deal with agriculture, that that will be introduced probably in the next two or three weeks; any period of time between when Bill 40 would be ratified in this House and the introduction and passing of a separate piece of legislation will probably be in the order of two to three weeks at most. It seems rather unreasonable to suggest that we extend the exclusion for a two- to three-week period. It doesn't make any sense to me at all.

The farm community, including the OFA, is willing to work with this government cooperatively in developing the legislation, in developing the recommendations that came from the task force. They have been working with us as part of that group. They're not out there beating the government over the head, saying, "We want to be excluded for ever." They're willing to work with us, and I applaud the OFA and the other farm groups for the work they have done with this government on labour relations.

AUTOMOBILE INSURANCE

Mr Charles Harnick (Willowdale): My question is to the Minister of Financial Institutions. Minister, a woman by the name of Linda Peake, who is 42 years old, was involved in a car accident on January 27, 1991. In that car accident she was rendered a quadriplegic. There was no auto insurance whatsoever to pay her accident benefits. The only place she can go for accident benefits is to your motor vehicle accident claims fund.

Let me tell you a little bit about Ms Peake. She presently has no control over her legs. She has no control over her bowels or bladder. She has an indwelling catheter. Attendants have to help her with bowel movements. She needs a seatbelt to hold her into her wheelchair.

You're the claims manager of the motor vehicle accident claims fund. Why have you not paid her her accident benefits? There is no auto insurance.

Hon Brian A. Charlton (Minister of Financial Institutions): I thank the member, first of all, for raising the case with me. Obviously I'm not familiar with this particular individual case. I don't have the statistics and I can't answer the question as to why she hasn't been paid yet. I'm certainly prepared to look into that and get the member an answer.

Mr Harnick: Minister, the other day you made a speech about your new auto policy, your new auto plan. It was more of an apology than a speech; it was an apology to the people of Ontario. But one of the things you said was, "The right to sue for economic loss is being replaced by a comprehensive system of automatic"—and I stress the word "automatic"—"no-fault accident benefits for economic loss."

Sir, you're the claims manager of the motor vehicle accident claims fund, you have full control of that fund right now, and I can tell you that Linda Peake's benefits, which you control, have been far from automatic. I will

also tell you that there's not a person in this province who can trust the fact that you're bringing in a scheme where payments will be automatic, because that will not be the case.

The Speaker (Hon David Warner): Does the member have a question?

Mr Harnick: Why has this lady not been given her benefits by you?

Hon Mr Charlton: I think there are three parts to the member's question that need to be responded to, and responded to in a fairly measured way. Firstly, my comments last week were no apology about the best benefits package anywhere in Canada.

Mr Harnick: Automatic benefits.

The Speaker: Order, the member for Willowdale.

Hon Mr Charlton: Secondly—

Mr Harnick: "Automatic"; address "automatic."

The Speaker: The member for Willowdale posed a question. Perhaps he would like to hear the response.

Mr Harnick: I would like an answer.

The Speaker: If the member for Willowdale will come to order, he will have an opportunity to hear a response.

1510

Hon Mr Charlton: Secondly, the no-fault benefits in the insurance package obviously are tied to an assumption around compulsory auto insurance, and some difficulties have arisen in this case because there was no insurance. I'm prepared to find out why the fund hasn't paid and ensure, given that there aren't circumstances that haven't been relayed to me by the member, that they should be paid.

Thirdly, the member refers to automatic accident benefits versus the right to sue. Obviously, nothing is automatic in the context of those situations where there are extenuating circumstances.

RETAIL SALES TAX

Mr Gilles Bisson (Cochrane South): My question is to the Minister of Revenue. Most people would remember that in the budget of 1992 the Treasurer had announced that we would be going to a different system—

Interjections.

The Speaker (Hon David Warner): Order.

Mr Bisson: —by which we pay taxes on used vehicles. What I really would like to know—

Interjections.

The Speaker: Would the member take his seat. The member for Cochrane South.

Mr Bisson: As I was saying, in the budget of 1992 the Treasurer had announced that we would be changing the system by which retail sales tax is collected on second-hand, used vehicles. As some people would know, October 1 was the deadline by which that system was put in place. I talked to a number of constituents over the weekend, at a number of different venues within the riding, about how it would work. For example, if I go out and buy a used vehicle that the Red Book price says, let's say, is worth \$3,000, but because the car has got maybe 150,000 or 200,000 kilometres on it, the doors are falling off—it looks

something like my car—how would the tax be applied to that particular vehicle if the actual value of the car would be less than the Red Book value?

Hon Shelley Wark-Martyn (Minister of Revenue):

The new system did come in and was implemented on October 1, and it's based upon the assumption that almost all taxable private sales occur at wholesale price or better. However, vehicles that have been subject to excessive use or damage, as the member's has been, in an accident, can be expected to have a reduced value. If you paid less than the Red Book wholesale value, and this is supported by an independent vehicle appraisal, you will be able to apply for a refund from the Ministry of Revenue for the amount of tax overpaid. These refund applications should be made available at your local MTO office.

Mr Bisson: I, along with a number of other people, would be happy to hear that.

The second part is that there is a system that was also introduced at the same time, and it's already the situation that if you buy a wrecked vehicle from a scrapyard that you want to bring to your place to take parts out in order to rebuild, you have to register the vehicle in order to be able to transfer it. In regard to the retail sales tax on that particular issue, how would that be applied in the case of a wrecked vehicle? Obviously the Red Book value is nowhere near what it would be worth as far as the vehicle that you would find somewhere in a junkyard for parts. How would you apply the tax in that particular case?

Hon Ms Wark-Martyn: Yes, purchasers have always been responsible for the registration and payment of retail sales tax on wrecked vehicles. A tax refund, again, may be obtained if you can provide an independent appraisal certificate to the Ministry of Revenue.

MEMBERS' CONDUCT

Mr Robert W. Runciman (Leeds-Grenville): I have a point of order, Mr Speaker. I want to indicate at the outset that in respect to the referendum question I am undecided at this point in time, but I have some concerns and I'm looking for answers from you, Mr Speaker, in respect to the fact that a number of members in the Legislature today—and I'm not sure if members of the opposition are supporting them but certainly members of the government are, including members of cabinet—wear large buttons taking a particular position in respect to the question of the referendum, and I have some concerns about that display and the fact that members are standing up, for example, asking questions or responding to questions, and this is televised across the province. They're taking a particular position, and I think perhaps, based on the traditions of this House, that is an inappropriate display and I'm looking for your guidance in this matter.

The Speaker (Hon David Warner): To the member for Leeds-Grenville: I very much appreciate the point the member has raised. I would like to reserve on this one and give it a bit of thought.

I realize the House has not made a determination with respect to the referendum with respect to any particular activities of the assembly. The member will know—and all

members will know—that we discourage members of the House from protesting in any way, shape or form in the House by way of buttons, badges or anything else. But I'd like to give some thought to this one and I will get back to the member later on. The member for Oriole.

Mrs Elinor Caplan (Oriole): On a point of order, Mr Speaker.

The Speaker: Is it on the same point? Member for Ottawa Centre.

Hon Evelyn Gigantes (Minister of Housing): If, during the period when you're giving this matter consideration, you'd like to take a close look at any of those buttons, Mr Speaker, I'd be glad to make mine available to you.

The Speaker: Always generous. The member for Oriole.

ATTENDANCE OF PREMIER

Mrs Elinor Caplan (Oriole): Thank you very much, Mr Speaker, and I'd ask for your guidance in directing me to the appropriate standing order as I make this point. It has come to my attention that once again the Premier, who left question period today after barely the first 20 minutes of a one-hour session, is not going to be available in this House for the rest of this week. Last week the Premier was here for just one day. I've placed notice that I have a question of the Premier. I had one of him today—you saw me stand to ask that question. He left before I had a chance to place it. He was not here last week for me to place it.

Question period, Mr Speaker, as you know, is the time when the government and the leader of the government stand accountable for their policies, and members of the official opposition become very frustrated when the Premier and his ministers—but the Premier in particular—do not have the courtesy to stay through question period to answer those questions.

The Speaker (Hon David Warner): The member for Oriole will know that there is nothing in the standing orders which compels the attendance of any member of the House, so your Speaker is unable to assist you in having certain ministers attend question period, or indeed any other activity of the chamber. Motions? Point of order?

Mrs Caplan: I would like to state a point of order—

The Speaker: I just ruled on it.

Mrs Caplan: I appreciate that, Mr Speaker, but there is a point of order which speaks to decorum in the House, and I believe the fact that the Premier is not available to answer questions in this House day after day for members of the opposition creates a problem that you should be aware of.

The Speaker: The member stretches things a bit. The member for Etobicoke West.

MEMBERS' CONDUCT

Mr Chris Stockwell (Etobicoke West): Mr Speaker, my point of order is the previous point of order that was drawn to your attention by the member for Leeds-Grenville.

Mr Speaker, we have a by-election coming up in the not-too-distant future and I'm certain all parties will want

to wear buttons into this House with respect to that by-election. So I think a decision by you is necessary, and the proper decision in my mind is to ensure that buttons, demonstrations and political baggage not be brought forward into this House, as I think all—

Interjections.

Mr Stockwell: I've obviously unsettled the government members.

The Speaker (Hon David Warner): Order. I understand full well the member's point. It is indeed an issue which deserves some attention, and as I responded to the member for Leeds-Grenville, I will consider this matter and I will be back to you later on. Motions? Another point of order?

Mr Stockwell: I wasn't quite finished my point of order.

The Speaker: Could the member be brief, please.

Mr Stockwell: Sure. Thank you, Mr Speaker. I wasn't referring, of course, to anyone in particular when I suggested political baggage, although I would suggest the backbenchers across the floor are in fact political baggage.

Mr Speaker, the question I'd like to point out to you clearly is that with respect to the by-election coming up, all parties could bring in buttons and paraphernalia and it would turn into a circus-like atmosphere. I ask that you rule quickly.

On the previous point of order, it is very frustrating to sit on the opposition side and have a Premier who will only show up now for one and a half of the previous seven days and the—

The Speaker: Would the honourable member take his seat. I have dealt with both points which he has raised.

1520

PETITIONS

MUNICIPAL BOUNDARIES

Mr Ron Eddy (Brant-Haldimand): I have a petition to the Legislature of Ontario.

"Whereas the report of Mr John Brant, arbitrator for the greater London area, has recommended a massive, unwarranted and unprecedented annexation by the city of London;

"Whereas the arbitration process was a patently undemocratic process resulting in recommendations which blatantly disregarded the public input expressed during the public hearings;

"Whereas the implementation of the arbitrator's report will lead to a destruction of the way of life enjoyed by the current residents of the county of Middlesex and will result in the remnant portions of Middlesex potentially not being economically viable,

"We, the undersigned, petition the Legislature of Ontario to reject the arbitrator's report of the greater London area in its entirety, condemn the arbitration process to resolve municipal boundary issues as being patently an undemocratic process and reject the recommendation of a massive annexation of land by the city of London."

I've added my signature to the petition.

RETAIL STORE HOURS

Mr Allan K. McLean (Simcoe East): I have a petition from St John's United Church, Elmvale, that has to do with the amendments to the Retail Business Holidays Act.

"I, the undersigned, hereby register my opposition in the strongest of terms to Bill 38, which will eliminate Sunday from the definition of a legal holiday in the Retail Business Holidays Act.

"I believe in the need of keeping Sunday as a holiday for family time, quality of life and religious freedom. The elimination of such a day will be detrimental to the fabric of society in Ontario and will cause increased hardship for many families. The amendments included in Bill 38, dated June 3, 1992, to delete all Sundays except Easter (51 per year) from the definition of 'legal holiday' and reclassify them as working days should be defeated."

That's signed by 42 people.

GAMBLING

Mr Dennis Drainville (Victoria-Haliburton): To the Legislative Assembly of Ontario:

"Whereas the New Democratic Party government has traditionally had a commitment to family life and quality of life for all the citizens of Ontario; and

"Whereas families are made more emotionally and economically vulnerable by the operation of various gaming and gambling ventures; and

"Whereas the New Democratic Party government has had a historical concern for the poor in society, who are particularly at risk each time the practice of gambling is expanded; and

"Whereas the New Democratic Party has in the past vociferously opposed the raising of moneys for the state through gambling; and

"Whereas the citizens of Ontario have not been consulted regarding the introduction of legalized gambling casinos despite the fact that such a decision is a significant change of government policy and was never part of the mandate given to the government by the people of Ontario,

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government immediately cease all moves to establish gambling casinos by regulation and that appropriate legislation be introduced into the assembly, along with a process which includes significant opportunities for public consultation and full public hearings as a means of allowing the citizens of Ontario to express themselves on this new and questionable initiative."

LONG-TERM CARE

Mr Frank Miclash (Kenora): I have a petition signed by some 333 of my constituents and I have as well attached my name to it. It reads:

"We, the undersigned, request an answer to our desperate need of a long-term care facility. Separating our seniors 120 kilometres is intolerable."

Again, it's signed by 333 constituents of mine.

CHARITABLE GAMING

Mr Gary Carr (Oakville South): I'm pleased to table a petition signed by concerned public-minded citi-

zens from Oakville and the surrounding area, which reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the amateur sports teams and charitable organizations across Ontario derive their financial support from the proceeds of bingos and various Monte Carlo nights; and

"Whereas the NDP government has legalized casinos and is considering other forms of gambling;

"Whereas this action will render it increasingly more difficult for amateur sports teams and charitable organizations to raise funds to support their amateur sports and charities; and

"Whereas the volunteers who operate these facilities are not looking for handouts and seek only to raise funds to support their amateur sports teams and charitable organizations,

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to ensure that the government maintains the ability of these amateur sports teams and organizations to continue to raise the needed support money through bingos and various Monte Carlo nights."

RETAIL STORE HOURS

Ms Christel Haeck (St Catharines-Brock): I am presenting a petition signed by 44 people from St Paul Street United Church who are in opposition to Bill 38, which legalizes wide-open Sunday shopping. The petition states:

"I, the undersigned, hereby register my opposition to wide-open Sunday business.

"I believe in the need of keeping Sunday as a holiday for family time, quality of life and religious freedom. The elimination of such a day will be detrimental to the fabric of society in Ontario and cause increased hardship on retailers, retail employees and their families. The proposed amendment of the Retail Business Holidays Act of Bill 38, dated June 3, 1992, to delete all Sundays except Easter (51 per year) from the definition of 'legal holiday' and reclassify them as working days should be defeated."

I have signed my name to this petition.

STANDING ORDERS REFORM

Mr Gerry Phillips (Scarborough-Agincourt): I have a petition to the Legislative Assembly of Ontario. It says:

"Whereas Premier Rae of the province of Ontario has forced upon the Ontario Legislature a change in the rules governing the procedures to be followed in the House; and

"Whereas Premier Rae has removed from members of the opposition the ability to properly debate and discuss legislation and policy in the Legislature by limiting the length of time a member may speak to only 30 minutes; and

"Whereas Premier Rae, who once defended the democratic rights of the opposition and utilized the former rules to full advantage in his former capacity as leader of the official opposition, has now empowered his ministers to determine unilaterally the amount of time to be allocated to debate bills they initiate; and

"Whereas Premier Rae has reduced the number of days that the Legislative Assembly will be in session, thereby

ensuring fewer question periods and less access for the news media to provincial cabinet ministers; and

"Whereas Premier Rae has diminished the role of the neutral, elected Speaker by removing from that person the power to determine the question of whether a debate has been sufficient on any matter before the House; and

"Whereas Premier Rae has concentrated power in the Office of the Premier and severely diminished the role of elected members of the Legislative Assembly, who are accountable to the people who elect them,

"We, the undersigned, call upon Premier Rae to withdraw the rules changes imposed upon the Legislature by his majority government and restore the rules of procedure in effect previous to June 22, 1992."

I have affixed my signature to that and I am in agreement with it.

LANDFILL

Mr W. Donald Cousens (Markham): This petition is signed by over 500 people from the riding of Markham. It's properly made out, my name is affixed to it and it is on one of the subjects that is touching on the people of York, Durham and Peel.

"To the Legislative Assembly of Ontario:

"Whereas the Interim Waste Authority has released a list of 19 proposed sites in the region of York as possible candidates for landfill, two of which are in the riding of Markham;

"Whereas the decision to prohibit the regions of the greater Toronto area from searching for landfill sites beyond their boundaries is contrary to the intent of the Environmental Assessment Act, section 5(3); and

"Whereas the government has promised each person in Ontario the right to a full environment assessment, including the right to a review of all options as it pertains to waste disposal in Ontario,

"We, the undersigned, protest and petition the Legislature of Ontario as follows:

"That the Legislature of Ontario repeal Bill 143 in its entirety and allow a more democratic process for the consideration of future options for the disposal of greater Toronto area waste, particularly the consideration of disposal sites beyond the boundaries of the greater Toronto area where a willing host community exists who is interested in developing new disposal systems for the greater Toronto area waste."

It is so presented and submitted to the Legislature and affixed with my signature.

EDUCATION FINANCING

Ms Anne Swarbrick (Scarborough West): I have a petition signed by approximately 40 people, who cite a number of good reasons why they petition the Legislative Assembly of Ontario "to act now and restructure the way in which municipal and provincial tax dollars are apportioned, so that Ontario's two principal education systems are funded not only fully, but with equity and equality."

1530

MUNICIPAL BOUNDARIES

Mr Allan K. McLean (Simcoe East): I have a petition that's addressed to the Legislative Assembly.

"Whereas the Minister of Municipal Affairs has seen fit to ignore the council of the township of Tiny and its plea for reconsideration of boundary line changes within the municipality; and

"Whereas the minister has stated that restructuring within the county of Simcoe will be implemented,

"Therefore, the taxpayers of the township of Tiny find it necessary to band together and lobby against the implementation of the restructuring of the county of Simcoe.

"We, the undersigned, petition the Legislative Assembly of Ontario to refrain from passing the County of Simcoe Act until the provincial government deals with the township of Tiny in a fair and equitable manner."

That's signed by 15 names and I've attached my signature to it.

PROPERTY ASSESSMENT

Mr Ron Hansen (Lincoln): I have a petition to the Legislature of Ontario: "Whereas we, the undersigned, are against market value assessment..." These signatures come from the whole Niagara area, and there are approximately 2,000 signatures.

GAMBLING

Mr Gary Carr (Oakville South): I am pleased to table a petition signed by concerned constituents in my riding of Oakville South, which reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the NDP government intends to legalize casinos and is considering other forms of gambling in the province of Ontario; and

"Whereas studies have been done which indicate, where casinos are found, they were inseparable from organized criminal activities; and

"Whereas most forms of gambling end up being a tax on those least able to pay; and

"Whereas gambling produces in many people a terrible addiction; and

"Whereas it would be more appropriate for the government to cut expenditures than attempt to increase revenue through expanded lotteries,

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to stop looking to casinos as a quick-fix solution to pay down the deficit."

EDUCATION FINANCING

Mr George Mammoliti (Yorkview): I have a petition here signed by yet more residents in terms of school funding, and it reads as follows:

"We, the undersigned, petition the Legislative Assembly of Ontario to act now and restructure the way in which municipal and provincial tax dollars are apportioned, so that Ontario's two provincial education systems are funded not only fully but with equity and equality."

I do affix my signature to this as well.

RETAIL STORE HOURS

Mr Allan K. McLean (Simcoe East): I have three petitions, but I'm only going to read one of them into the record. It has to do with the amendment of the Retail Business Holidays Act.

"I, the undersigned, hereby register my opposition to wide-open Sunday business. I believe in the need of keeping Sunday as a holiday for family time, quality of life and religious freedom. The elimination of such a day will be detrimental to the fabric of society in Ontario and cause increased hardship on retailers, retail employees and their families. The proposed amendment to the Retail Business Holidays Act, Bill 38, dated 3 June 1992, to delete all Sundays except Easter from the definition of 'legal holiday' and reclassify them as working days should be defeated."

That petition was sent with 103 names from the Bethel Baptist Church of Orillia. I have one from the Salvation Army in Orillia with 34 names, and the other one is from the St John's United Church in Alliston with 42 names.

LABOUR LEGISLATION

Mrs Irene Mathysen (Middlesex): I have a petition signed by about 480 London Home Builders' Association members, who respectfully request that Bill 40 be set aside. I have not signed my name to this petition because I do in fact support Bill 40.

RETAIL STORE HOURS

Mr Ron Hansen (Lincoln): I have a petition here to the Legislative Assembly.

"I, the undersigned, hereby register my opposition to wide-open Sunday business. I believe in the need of keeping Sunday as a holiday for family time, quality of life and religious freedom. The elimination of such a day will be detrimental to the fabric of society in Ontario and cause increased hardship on retailers, retail employees and their families. The proposed amendment of the Retail Business Holidays Act, Bill 38, dated 3 June 1992, to delete all Sundays except Easter"—that's 51 per year—"from the definition of 'legal holiday' and reclassify them as working days should be defeated."

I will affix my signature to this petition, and it comes from the Westburne Alliance Church in St Catharines.

MUNICIPAL BOUNDARIES

Mrs Irene Mathysen (Middlesex): I have a petition signed by 54 residents of Middlesex, London, St Thomas, Lambeth and Scottsville who respectfully ask that the arbitrator's report of the greater London and Middlesex annexation be set aside because it does not reflect the expressed wishes of the majority who participated in arbitration hearings. It awards too extensive an area of annexation to the city of London and will jeopardize the viability of the county of Middlesex and our rural way of life.

I have signed my name to this petition.

INTRODUCTION OF BILLS

PINECREST COMMUNITY ASSOCIATION ACT, 1992

On motion by Mr Micalash, the following bill was given first reading:

Bill Pr44, An Act to revive Pinecrest Community Association

LAMBDA CHI ALPHA ALUMNI ASSOCIATION OF TORONTO (INCORPORATED) ACT, 1992

On motion by Mr Murdoch, the following bill was given first reading:

Bill Pr67, An Act to revive Lambda Chi Alpha Alumni Association of Toronto (Incorporated)

CITY OF OTTAWA ACT, 1992

On motion by Mr Chiarelli, the following bill was given first reading:

Bill Pr19, An Act respecting the City of Ottawa

ORDERS OF THE DAY

INSURANCE STATUTE
LAW AMENDMENT ACT, 1992
LOI DE 1992 MODIFIANT LES LOIS
CONCERNANT LES ASSURANCES

Resuming the adjourned debate on the motion for second reading of Bill 164, An Act to amend the Insurance Act and certain other Acts in respect of Automobile Insurance and other Insurance matters / Loi modifiant la Loi sur les assurances et certaines autres lois en ce qui concerne l'assurance-automobile et d'autres questions d'assurance.

Mr Stephen Owens (Scarborough Centre): I'm pleased to rise today to address the need for reform of the Ontario automobile insurance system. Few would question the need for insurance reform in Ontario. After all, there are many problems with the previous government's system. Just to name a few: It leaves too many accident victims grossly undercompensated, its unrealistic constraints limit prospects for rehabilitation of too many of those seriously injured and it shuts the door on too many accident victims' ability to sue for pain and suffering.

Last week, the member for Essex South, in his apology for the Ontario motorist protection plan, talked about the NDP leadership failing to understand the need for profit. I would suggest that the former government clearly understood the need for profit and where to put it, and that was exactly in the pockets of the insurance companies—in the first six quarters, \$1 billion.

For those of you in televisionland, \$1 billion in profit was reported in the first six quarters after the OMPP was established. This meant that premiums were often unjustifiably high for some drivers who were inappropriately classified, and the system that was instituted by the former government simply doesn't address safety issues adequately, if at all.

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Our auto insurance reforms are vastly different. They will benefit more than six million drivers in Ontario, not the insurance companies, which pocketed a windfall profit

as I described earlier. Specifically, our package offers real improvements: automatic and reasonable benefits to all injured persons, significantly enhanced and new compensation, greater recognition of pain and suffering losses and affordable reforms and stable rates.

Our compensation plan is an innovative breakthrough. It will provide accident victims with the most generous and equitable benefits anywhere in Canada while providing fairer recognition of the pain and suffering of innocent accident victims.

Under the Liberal plan, Ontario motorists are now paying for inadequate accident benefits that fall far short of the income replacement needs of many. The limited funds available for supporting injured persons with permanent disabilities simply don't keep pace with inflation, and they fail to recognize the loss of future earning potential of people in special circumstances: those not in the workforce at the time of the accident either because they are students and are not yet working or are care givers who have temporarily left the workforce to look after a child or an elderly parent.

As we designed the new compensation system, our goal was to guarantee that everyone who is injured in an auto accident has ready access to fair and reasonable compensation immediately. Everyone, regardless of fault, has economic needs and must be compensated for income losses and care and rehabilitation costs. That's why people buy insurance: to ensure that they are taken care of when injured in an accident.

These principles could only be accommodated through a system of structured accident benefits for economic losses. Structured benefits are immediately and automatically available. People can continue to pay mortgages and care for their families without having to wait years for a court settlement. Structured benefits offer speedy access to rehabilitation, which reduces the cost in the long term. Scheduled benefits provide assurances of reliable and reasonable compensation, assurances which are critical in dealing with economic losses, assurances which are not possible through the court system.

As we talked about last week, the third-party approach to accident benefits is a 649 approach, where some win big and some don't win at all. Compensation through the courts is random and uncertain; it is based on the concept of fault. But fault is often unclear, and anyone can make a human error. Roadway hazards, weather conditions and car failures, like a blown tire, just make the risk worse. Court claims can often take years to settle, and the chance of a person's recovery after waiting this long will diminish. Tort awards for future losses are based on a one-time assessment of needs, using a number of difficult and complex assumptions about the future. This results in some people being overcompensated and others undercompensated.

An adversarial system is a costly and uncertain way of compensating even the limited few. There are other things we have to keep in mind as well. There may be no one to sue. Take the university student driving home for the holidays who hits a patch of black ice, hits no one and is permanently injured. The student has no one to sue and

can't be compensated for future economic losses under the Liberal plan. The other person may have insufficient liability insurance to provide benefits or an injured person may be badly served within the judicial system.

The courts and liability shouldn't be used at the expense of adequate benefits for all injured people. When designing our accident benefit schedule, we did so keeping in mind that income benefits replace income during recovery and future earning capacity as a result of permanent impairment. We were also mindful of the cost of rehabilitation and care and the fact that the sooner people receive help, the quicker they can return to leading productive and full lives.

Let me discuss the balance we've tried to strike between enhanced benefits and achieving fair treatment of innocent accident victims. Under the Liberal plan, suing for pain and suffering is severely restricted to serious, permanent physical injury, disfigurement or death. Mr Speaker, I don't know about in your riding, but I've never seen a U-Haul travelling behind a hearse in Scarborough Centre.

Those suffering psychological injuries are ignored no matter how serious the psychological injuries might be. Translated into numbers, the previous government's restrictions allow access to courts for about 5,000 injured persons per year who are not totally at fault.

Our new system takes a new and different approach in defining who gets access to the courts for compensation for their pain and suffering. Anyone not totally at fault will be able to sue for these non-economic losses, subject to a \$15,000 deductible. This deductible is roughly equivalent to a lower threshold. We estimate the use of the deductible will result in three times as many people, or about 15,000 people annually, having access to the courts for compensation for their pain and suffering, including that arising from psychological injuries. This change is significant. Many people seriously injured can't sue under the Liberal plan, despite their very substantial pain and suffering. Their lives are disrupted, and yet they have no special recognition of their non-economic losses.

In addition, we will allow claims for loss of care, companionship and guidance under the Family Law Act, subject to a \$5,000 deductible.

We recognize the courts are well equipped to determine fault and make judgements about harder-to-define laws such as pain and suffering or enjoyment of life. Simply put, pain and suffering is not suited to a fixed schedule of benefits as economic losses are. Individual assessments are needed for these types of losses. We believe we have struck a balance enabling seriously injured people to sue for their pain and suffering while ensuring the right of all accident victims to have reasonable and automatic compensation for economic loss.

The previous government's system fails not only those involved in accidents, it fails consumers miserably. Let me give you a few examples. During the 1980s, premiums increased faster than inflation, and at one point they actually skyrocketed. In an attempt to control claims costs, insurers became more selective about whom they were willing to insure. As a result, large groups of drivers had

great difficulty in getting insurance at regular market rates. Unfair rates and poor customer service became increasingly common. Many drivers, even drivers with clear records, now pay extremely high rates and are unfairly put into the Facility Association. The Facility Association showed a profit in 1991 because many good drivers are still assigned to it. Consumers have little opportunity to challenge their insurance company successfully, whether on the rates they pay or on being placed unfairly in the Facility Association.

Premiums are inconsistent. Drivers with similar records, similar cars and driving patterns pay widely different rates, varying from region to region and from insurer to insurer. There is no uniform classification among the more than 150 companies that write auto insurance policies in this province. This limits competition and makes comparison shopping impossible. Drivers don't know how and aren't encouraged to improve their premium rating. Complex language and policies and other consumer materials further reduce opportunities to compare products and services.

Our legislation provides reforms that address the problems I have just outlined. It delivers reasonable compensation quickly and efficiently to all people hurt in auto accidents. It promotes safer and more responsible driving, which will ultimately reduce accidents and claims costs. It will fairly assess responsibility and will do so in a way which is both fair and affordable.

I have just outlined why there is such a great need to reform the system and why we chose the directions we did. This bill prescribes major and immediate improvements to the auto insurance system in Ontario. It also enables regulatory changes to support ongoing, comprehensive reform down the road. The result will be a fairer, more accessible system which provides assurances of reasonable accident compensation for all Ontarians, the kinds of assurances which must be provided in a compulsory auto insurance system.

The Deputy Speaker (Mr Gilles E. Morin): Questions and comments?

Mr Charles Harnick (Willowdale): You know, I'm just getting sick of people standing up and telling me that every accident is caused by momentary inattention, that somebody just took his eye off the road for a second. Let me tell you that the statistics show that accidents are caused because people speed. They speed deliberately. They make improper left turns. They try to beat the car coming in the other direction; they do it deliberately. They drink when they drive; they do it deliberately. So don't tell me that accidents are caused by momentary inattention, because the bulk of them are not. They're caused by people deliberately doing the wrong thing. That's the first thing.

Second thing: This idea people have that you have to be in favour of accident benefits but you can't at the same time be in favour of a tort law scheme shows a basic misunderstanding of the whole principle behind auto insurance as we've had it in this province and as it has operated successfully for about 25 years. The fact of the matter is that everybody believes accident benefits should be available to people who are at fault and to people who

are innocent, and those accident benefits should be at reasonable rates, but innocent accident victims deserve more. Innocent accident victims should be entitled to their actual losses. That is the kind of scheme we have always had in Ontario.

To bastardize the scheme by trying to portray people who are in favour of the tort system as being opposed to the accident benefit system is absolutely wrong. I tell you that no one who is innocent should suffer by getting less than what his claim is worth. I don't care what the bureaucrats have filled the minister's head with, but I tell you that Mr Tully does not know as much about auto insurance as he does about tourism and he should have stayed in the Tourism ministry. The fact of the matter is no innocent accident victim should do without.

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Mr Mike Farnan (Cambridge): I want to make a brief comment on the contribution to debate made by the member for Mississauga North. The member for Mississauga North has developed, in a very short period of time, a reputation in this House for rational and objective debate. I believe that the member certainly has the skill to concisely and clearly outline his points. If we look at what is happening in the House with this debate, we will see that it is nice to see a member stand up and with a degree of rationality, not ranting, an individual take the time to outline clearly the benefits of the legislation.

The member has put forward a case without misconceptions, without misinformation, but clearly stating what the immediate benefits are to replace lost income. It clearly states the efforts of the legislation to get people into rehabilitation immediately and to put people back on the road to recovery. I have been here for this debate over several days and I have listened to very emotional statements on behalf of the opposition, but I haven't heard a speech as clearly and as rationally and as logically presented as the one we have just heard from the member for Mississauga North.

The Deputy Speaker (Mr Gilles E. Morin): No, the member for Scarborough Centre.

Mr Farnan: My apologies, Mr Speaker, the member for Scarborough Centre.

Mr David Tilson (Dufferin-Peel): I have listened to the former opposition start to talk about what it really didn't mean before the election; it's a complete reversal. It's going to be interesting to see how the speeches from the government unfold. The fact of the matter is that nothing has been said with respect to the subject of pain and suffering. In fact, the \$15,000 deductible really means nothing, particularly if your claim is for \$20,000 or \$25,000. You have to subtract \$15,000. So if you go to court for \$25,000 to get \$5,000 or \$10,000, and your legal fees can be \$5,000 or \$10,000, big deal. With respect to economic loss, there's no claim. Again, these subjects must be dealt with and must be explained by the government if you're going to put forward your bill.

It's very easy to criticize the Liberal bill. Both the NDP and the Progressive Conservative Party have spent much time criticizing the Liberal bill, but I would like to see how

you're going to improve the system, because you're not improving the system. If anything, you're making it worse; you're making it more confusing. These people aren't going to benefit from that.

Take the individual who receives a neck injury or a serious injury that goes beyond—the Meyer situation. Are you going to improve that? The speech that has been given by the parliamentary assistant is totally inadequate and he should start talking more about what his policies are going to do to improve the situation as opposed to simply attacking the previous Liberal bill.

Mr Peter Kormos (Welland-Thorold): In this brief two minutes, which is but a fraction of the mere 30 minutes that I'll be allowed on Wednesday to speak to this particular bill—a very important bill, one which, it should come as no surprise to a whole lot of people, I have a great deal of interest in, and quite frankly, passion for.

I am not going to get caught up in identifying people by their ridings. His wife calls him Steve Owens and that's good enough for me. I like Mr Owens. He's a good parliamentary assistant. He performs his task well. But when I was downstairs, reading the little closed caption on the television down in the committee room, I thought that somehow the legislative channel had started doing reruns because, by God, I thought it was Rick Ferraro speaking on behalf of Bill 68. Maybe the same speechwriter works for the ministry; that's entirely possible because there's been a significant continuity. But some of the very same phrasing, some of the same language—zonkers, Mr Speaker, to try to peddle this package of Tide, I mean, this is a selling job that would make Procter and Gamble ashamed. To try to peddle this, with this embarrassing attack on the legal profession and on the courts, misses the mark by a long shot.

You want to bash lawyers? I'll be right there with you. There are a whole lot of things we can criticize about the legal profession, and I'm not concerned about lawyers' ability to make money. They're sort of like those pigs over in France that sniff out truffles. Lawyers will find a way to make money one way or the other. But for this government to forfeit a heritage of policy—

The Deputy Speaker: Thank you. Your time has expired.

Mr Kormos: —the policy that Mel Swart stood for, that Bob Rae stood for, that so many New Democrats stood for, and to try to argue it away that way is totally unacceptable.

The Deputy Speaker: The member for Scarborough Centre, you have two minutes in reply.

Mr Owens: Let me begin with the best first. In terms of the comments by the member for Welland-Thorold with respect to the speechwriter, he as minister had the opportunity to make these kinds of changes, but he simply didn't do that and left them for us.

In terms of his comments with respect to the attack on lawyers, he must have been listening to a different speech someplace else, because I certainly didn't place any attack on lawyers.

In terms of the comments from the member for Willowdale, I think he brings up a very interesting point. People do speed, people do make improper left turns and people do drink and drive; people do all sorts of crazy things when they drive. This is why, in terms of the tandem approach this government has taken to legislation, the Ministry of Transportation has taken the opportunity to introduce framework legislation with respect to the road safety agency. This will be the agency that will begin to address these issues.

Insurance is simply the end point of the process. There are many things that need to take place prior to an insurance claim being filed.

In terms of the member for Dufferin-Peel—how will we improve the system?—let me say simply that, again, in terms of improvement, we're taking the caps off rehabilitation and we're extending the indexed income benefit to seniors, to income earners over 65.

Also, the member for Dufferin-Peel raised an issue last Friday with respect to a constituent of his, and I'm still waiting for the letter to come across this House. If the member for Dufferin-Peel is listening to me, I'd like to ask him one more time to bring the letter across.

The Deputy Speaker: Are there any other members who wish to participate in this debate?

Mr Frank Miclash (Kenora): I would like to let the members opposite know that I did write my own speech. Things in opposition are a little bit tougher over here. We don't have speechwriters.

I would just like to say a few things about the previous plan and what I've heard about it in the north. The Ontario motorist protection plan was one that I felt was serving my constituents well. It's very seldom that you come across a policy that doesn't have somebody coming through your door and saying it's not serving you properly, but I must say that in the two years since June 1990 when this plan was put into place, it has actually answered the needs of drivers throughout the north.

I must take a look at examples of other insurance programs across the country. As you would know, my riding borders on the province of Manitoba, and much is said about the program in Manitoba. It's a program known as Autopac.

I must say that it was this government, the government in place today, that was coming up with the scheme during the last 1990 election, saying that yes, it was going to have public auto insurance and yes, it was going to bring that to the people of Kenora. I must say that the people of Kenora, or a good number of them, especially the young drivers, saw that as a plan that would reduce their rates, a plan that would bring rates into line.

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However, there was the other side of the argument. I spent my university years in Manitoba and took advantage of the lower insurance rates. I was happy to be able to do that, but on the other hand, I saw many people in society in Manitoba who were not drivers, were on fixed incomes, and found out that, yes, they too were paying for the program. They were paying for Autopac, auto insurance in

Manitoba, again something that this government looked at and, I must say, a program that I am happy and a lot of my constituents are happy that, yes, it pulled back on.

I go back to my initial point. We had a program in place that was working and a program that came along and people were saying, "We've seen our auto insurance rates either go down or stabilize." We had a number of statistics telling us that and statistics telling us that 81% of the people who were looking at the system that was in place, the Ontario motorist protection plan, were happy with what was going on at that time.

Again, I take a look at what the program did. The program was affordable. It brought fairness into the system. We had universal accessibility, stable and predictable premiums. That was something that was very important to constituents in my riding. They could predict what their premiums were going to be in years coming. Complete coverage was offered, compensation in a suitable and timely manner, another aspect of that program that was working.

What's happening now is that my constituents are saying, "Why now?" Why bring this legislation forward now when they felt that the program in place was actually covering their needs? What I have to ask this government is the same question I'm being asked as representative for northwestern Ontario, Kenora riding: How many jobs will this create? Auto insurance is not number one on my constituents' minds right now; the creation of jobs is. When you have a program in place, why not leave it alone, go on to something more important, go on to the economy of this province?

I think what this government is trying to do is to tinker with the system, a system which is working, and tinker to something that will suit it a little bit better in terms of its philosophy. But again I get back to, is it going to make the program any better, is there going to be anything that is as tailored as what we saw in place?

I come back to rate increases. I've taken a look at some of the statistics and I go back to the fact that 50% of the drivers across the province actually saw no increase in their rates, and some actually even reported a drop. As people have referred to earlier, in the 1980s insurance was in difficulty. We had premiums skyrocketing, we had a lot of difficulty in the insurance corporation. I come back to the former legislation, which addressed that, which made driving affordable to drivers across the province.

We've heard the minister say that his plan would be no more costly. I must take a look at what he's doing in terms of this plan and tell him that once he's bringing in a third party, once he's going back to the tort system, how can he stand there and tell us that this is not going to be a more costly plan? I have a lot of difficulty with that. I've heard estimations and people who are in the know regarding insurance taking a look at what is being reintroduced in this plan and telling us that we may be looking at rates going up as much as 20%, 30%.

I guess what we have to do is to take a look at what the minister has told us and take a look at some other systems. I indicated to you earlier that I'm very close to Winnipeg and to Manitoba, and much of our news media comes out

of Winnipeg. Perhaps I could just refer to a quote out of the Winnipeg Free Press of June 15, 1992, fairly recent, and it's called "An Autopac Jolt":

"Howard Pawley must be enjoying a hearty chuckle in his ivory tower office at the University of Windsor. By now, the former Premier will know that the Manitoba Public Insurance Corp has asked the Public Utilities Board for a 9.7% increase in auto insurance premiums. The last time Manitobans were faced with Autopac rate hikes of that size, they took to the streets in anger. That anger contributed to the defeat of the Pawley government in 1988."

Now the important part about this, the reasons for the rate jolt are a combination of a number of things: bad weather, the high cost of health care and, more important, the dramatic increase in personal injury claims. Last year alone, the total number of claims went up by 11%, bodily injury claims by a staggering 30%.

I go back to what this government is trying to do in trying to tinker with our plan as it is here in Ontario today and what that will translate into. I only bring what has happened in Manitoba, as an example, to their attention.

Again, I go on to something a little bit more about the Autopac. This headline from the Winnipeg Free Press of June 12, 1992, reads, "Autopac Wants Kind of Hike That Sank NDP." I go back to the things that this government wants to introduce into the plan today to bring it closer to this Autopac system. This article reads:

"Citing rapidly rising claim costs, the Manitoba Public Insurance Corp is proposing to raise motor vehicle insurance rates an average of 10% next year and opposition critics warn the increases could set off the kind of public reaction that helped bring down the administration of the former NDP Premier Howard Pawley after similar large increases four years ago." Again an auto insurance plan that we're looking at this government trying to head towards.

I go back to my initial point, where I say this government is trying to fix something which is not broken. A good number of people out there are asking why they are going ahead with this fixing. As they come to me with these questions, I tell them that, yes, after second reading we will go into public hearings. People in northwestern Ontario are looking forward to something the minister said in his opening remarks in his speech the other day. He indicated that in a modern society and especially in rural and northern communities across the province, driving has become a necessity for many.

Yes, Mr Speaker, I represent one of those northern communities where driving has become a necessity. I cannot agree with the minister more, but what I'm hearing from my constituents is: "Okay, we're going to be having public hearings following second reading. Will those public hearings allow us in northern Ontario to present our case, allow us an input into what this minister has introduced, what this government is proposing?"

I know as we go into this further, they're going to be watching for an answer to that question, an answer as to how much input they are going to have. From what I'm hearing, they are not going to have much input into that and the public hearings are going to amount to what has

been termed by many as a sham. But again I must remind the minister that we in northwestern Ontario and northern Ontario will be looking for those public hearings after second reading.

Again, I ask about the tinkering with the plan, the plan as it is today. I quite often go back to who was consulted, where was the information coming from, how did the government come up to this tinkering and why. Why at this particular time?

I have not heard any complaints on the program and I guess what we're going to be really looking for is how the package is going to help. I go back to what has been brought to my attention, the increase in rates and whether in essence the rates will remain the same; unchanged is what the minister has indicated. I can tell him the bringing in of the tort system or introduction of much of the tort system is only going to lead to the third-party involvement and that can only lead to higher premiums.

The \$15,000 deductible is something which has been talked about a lot in the debate so far. Here we have a deductible and what is that going to do? That's going to send people for higher compensation in the court system, for higher compensation on an injury. Again, what will that do, where will that money come from? Of course, it's going to come from those people who pay the premiums—you guessed it—higher premiums within the system and the higher cost being passed on to the consumer.

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I must go back to the program in Manitoba, because I think it has been one that has shown people across the country that it's a program that has not worked. As we get closer to public auto insurance in a system such as this in Manitoba, it certainly has not worked.

I read that the Manitoba Public Insurance Corp official said yesterday that it needs higher premiums because it had losses of more than \$28 million in the first half of the year, but projected year-end losses of \$20 million to \$25 million, meaning that it expects to make money in the second half.

The program is just not working, and I suggest it's a program this government thought it was going to bring in, found out it couldn't and is now moving closer towards. It may just be what this government's looking for: the kiss of death, actually, in terms of bringing this forth.

Then I take a look at the court system. We've already heard that with the new tort system we're looking at three times as many court cases. I often wonder if my friend Howie, the Attorney General and member for the riding next door, has been told about this. He often gets up here and talks about how overcrowded the court system is. What they're going to be doing in terms of this plan now is just to add to that agony, add to that overcrowding.

Then I listen to this government talking about partnerships with business and I take a look at what the minister said in his opening comment. I ask you to put yourself in the shoes of a businessman, a person selling insurance in this province. The minister indicated, and I quote from Hansard:

"This government promised Ontario motorists a fairer, more accessible, more comprehensive auto insurance

package in this province. Last September we also announced that unfortunately we would be having to do that in the private delivery system."

I really ask the minister what is so unfortunate about the private delivery system. This government keeps talking about partnership with business. How could he actually come out with this, what I call unfortunate, statement?

In wrapping up, I would again like to refer to my plea to the minister to take a look at what has happened and what is happening in other jurisdictions across the country. Take a look at plans that have been put forth before. I have read a number of cases, a number of instances where the plan is not working. The plan is not working in the province neighbouring ours.

I must refer to the Ontario motorist protection plan. In northern Ontario—maybe the member is not familiar with northern Ontario—I have not one complaint regarding that plan. It was a plan that was working, and I must say that this is a plan that is being tinkered with now.

I for one, representing a northern riding, am concerned about what that's going to do in an area where the minister indicated that, yes, we depend on our vehicles, we depend on private transportation to get us around the north. We don't have the public transportation that constituents of southern Ontario can avail themselves of, and I must say that this is a most important issue in my riding.

I can only say as well that I do hope the minister takes time for public hearings, takes time to listen, and only after that will he possibly have a change of heart in what he's going to be doing to the drivers in my riding and the drivers across northwestern Ontario.

Mr Harnick: I listened with interest to what my good friend the member for Kenora had to say. Certainly he brings a perspective to this debate from the point of view of northerners, but what I wonder about is when he says we're fixing something that is not broken. I think the people of the north would be quite concerned about the fact that a court case has now come down that indicates that if they're injured in a car accident, they can only claim for their pain and suffering if it's a near catastrophe.

People get badly injured without having a near catastrophe. They break arms, they break legs and they suffer fusion injuries. They've broken necks and backs that require a fusion. They require hardware to be put into their bodies. They often suffer injuries to internal body organs or they suffer head injuries. Not all of them end up being a catastrophe, but they end up with serious personal injuries that demand compensation.

I take issue with my good friend from Kenora when he says it's not broken so we don't need to fix it. The system is badly broken, but there is one thing that my friends in the Liberal Party can take some pride in. When they eliminated the rights of all innocent accident victims to claim for virtually any of their injuries, they said one thing that at least they can be given a scintilla of credit for, and that is, if you pass the threshold—which almost no one can pass, but if you do pass it—then at least you can claim for your economic loss. For that reason my good friends in the Liberal Party are a tiny step ahead of my friends in the New Democratic Party, who have broken all the promises

that they've made, and now they conveniently forget about them. Mr Speaker, it's a tragedy.

Mr Gilles Bisson (Cochrane South): There is not enough time, but I want to touch on one point that the member for Kenora made: Basically, "Why fix it if it ain't broke?" The reality is that it is broken; there are problems with it. There are problems, for example, in existing Liberal legislation that was put together in the OMPP. There was no indexing to benefits. That, necessarily, had to be fixed, and that's something that we've done.

The whole question around what happens with rehabilitation is that there was a limit on rehab benefits that were paid to an accident victim. I think, offhand, it was up to about \$400,000 for the lifetime of the individual. In some cases that might be enough, but in a lot of cases you need a heck of a lot more money than that in order to properly rehabilitate somebody. What we've done is remove that particular threshold with regard to the total amount.

The other thing was a question of the attendant care. Under the Liberal legislation that was put in, the OMPP, there was also a cap put in with regard to an attendant. If a person needed somebody to come into his home in order to take care of him or to take care of special needs, there was a cap that was put on that under the Liberal legislation. We have removed that cap because we felt you can't keep a threshold, because if a person has a disabling injury, it's not just going to last 10 years; in many cases it will last a lifetime, and the cap could be easily surpassed. So we had to remove that.

What we did is increase the benefits, because the past Liberal legislation said \$600 per week was the maximum that a person is able to collect through the OMPP. In many cases, that wasn't enough, and I would argue to a certain extent maybe \$1,000 isn't enough either, but we brought it from \$600 per week up to \$1,000. It basically works out to 90% of your pre-disability income, up to a maximum of \$1,000.

There was also the other question with regard to the whole question on the—you see, I'm running out of time, but I'll wait till a further time in order to get to the next one, because there are only about 10 seconds left.

Mr Tilson: We're here to debate Bill 164, but I can't let it go by with the comments from my Liberal friend who is now going to sit and talk about how wonderful the OMPP is. The fact of the matter is, the cases are now starting to surface. The very first case that has come to the courts, the Meyer case, which I have referred to in my comments, shows quite clearly that the Liberal plan is not working. So I hate to tell my friend the Liberal plan is broken; it's smashed; it's an absolute disaster.

The difficulty, of course, is that the NDP proposal that's being put forward is even worse than theirs, but I suggest that he look at the Meyer case, because unless that decision is appealed—and I hope it will be—that is going to be the law of the province of Ontario.

With respect to the comments of the threshold test, Justice Brown says: "I do not regard the permanently impaired bodily functions to be seriously impaired. There is no evidence that he himself is restricted in walking or

falls." It goes on. The fact of the matter is, it's not catastrophic, but it darned near is catastrophic, that's what Justice Brown says. So it's an unbelievably difficult test to pass to qualify for the Liberal plan.

The NDP hasn't fixed that; it has made it worse. First of all, they say, "No economic loss; no loss for future earnings; no loss for present earnings." The pain and suffering has been watered down to next to nothing. You have to pay the first \$15,000, and actually you have to remember that to go to court for an action involving \$20,000 for pain and suffering will be an absolute farce. Why would you go? Your legal fees will probably be more than \$5,000, and you're going to pay the first \$15,000 to get \$20,000.

Both these parties are going to have to take a long, hard look at their plan, and particularly the one that's before us now. I support everyone who has been saying, "We must have public hearings to fully debate the Liberal plan and the NDP plan."

1620

Ms Christel Haeck (St Catharines-Brock): I would like to just really make it clear to the member for Kenora that this plan he is criticizing in fact provides inflation protection for the long-term disabled and an indexation of the weekly income ceiling to the consumer price index, which the Ontario motorist protection plan does not. Weekly income replacement benefit maximum for income earners is increased to \$1,000 from the \$600 max that your particular plan instituted.

The removal of the \$500,000 lifetime caps on benefits for supplementary medical and rehabilitation services and care is provided. I think you really have to recognize that for someone who is injured, that is absolutely vital. I know people in my own riding who are absolutely in need of this kind of service.

I'm not sure if your constituents don't find this an attractive feature, but I know my constituents will: indexation of monthly care limit to the consumer price index and, as well—and I think this is absolutely crucial—the doubling of the death benefit to a spouse from \$25,000 to a minimum of \$50,000 as well as an income-based maximum of \$200,000.

I think you have to really say, over and above all, that this plan just beats anything possible in the Ontario motorist protection plan that the Liberals put in place. This is definitely going to provide the drivers of Ontario with the kind of protection they need.

The Deputy Speaker: The member for Kenora, you have two minutes to reply.

Mr Miclash: I appreciate the comments from my colleagues in the House. Let me go in reverse order. First of all, the member for St Catharines-Brock has indicated a good number of things: the removal of caps, the inflation protection, the increase to the weekly income. I think one of the major things I spoke to, and this is to this member along with a number of others, was that the rates we're paying today as drivers are reasonable, and anything she has spoken about of course is going to have to be paid for.

I go back to who pays the cost and I refer to a good number of my particular constituents who were happy with

the program and happy with the rates. I also indicated that few had seen any kind of increases as well.

The member for Dufferin-Peel has his opinion regarding what we did with the OMPP and I respect that, but again I refer back to a program that was working and was working well in the eyes of my constituents.

He also brings up the fact of public hearings. What kind of input are my constituents, northerners, going to have after second reading into what this government is going to be doing? My constituents are worried and I keep telling the folks here in the House that they're watching what has happened in Manitoba and watching what has happened in a former regime where public auto insurance was introduced. Again I ask, who pays for the increases here?

The member for Cochrane South speaks of a lot of areas where he feels the OMPP lacked, but I ask him to bring forth examples he has heard from constituents. I have heard none.

In wrapping up, I would again like to thank the members in the House for contributing to this debate. Thank you as well, Mr Speaker.

The Deputy Speaker: Are there any other members who wish to participate in this debate?

Mr Harnick: This is a subject matter that is very difficult to comprehend. It's a subject matter that very few people in this Legislature genuinely understand. But it's a subject matter that will affect every single person in this province, be he or she a driver or not a driver.

Mr Speaker, I'm just going to start out by reminding my friends on the other side that in September 1990, just prior to when they became the government, they were all out campaigning. And you know what they were all out campaigning to do? They were all out campaigning to give back the right of innocent accident victims to sue. They all were proud when they went door to door and when they stood on stages at all-candidates meetings and they told their constituents, "We are going to restore the rights of innocent accident victims."

Well, Mr Speaker, I can tell you that they have not done that. They have systematically taken away more rights than the Liberals did. That is a complete breach of their promise. Some people would call that misleading. Some people would call it lies. I only say as my categorization that they have bought votes from the public and they have turned around and done completely the opposite of what they promised and the public has every right to be cynical about what this government has done.

You know, there's been a recent poll: 75% of those polled said that the government should keep its promise. Interestingly enough, support for the right to sue is particularly significant among women: 76% of women said, "Give us back the right to sue." Of persons between the ages of 18 and 35, 77% said, "Give us back the right to sue." Of those earning less than \$30,000, 79% said: "Give us back the right to sue. That is what you promised. Now keep your promise." The government has no intention of doing that.

I could stand here for the next 27 minutes and I could rant and rave about the government not keeping its promise, but I'm not going to do that. I'm going to try to go through some of the significant aspects of this bill and I'm going to try to make some suggestions I believe are constructive on how the government can make this bad piece of legislation at least somewhat better for the public.

The government has proposed a threshold. Their threshold is that for everyone who claims for only their pain and suffering, because that's all they're letting people claim for, they will have to give back \$15,000 off the top of every award. What the government has done is told the public that, "We want to eliminate all claims for less than \$15,000."

The fact is that by having a \$15,000 deductible, you're eliminating claims for a much larger figure than \$15,000, and the actuarial statistics the minister has provided us with bear that out. The reason is because no insurance company is going to settle a \$25,000 or \$30,000 claim if it can make you an offer of \$15,000 and tell you, "Litigate." The costs are too great to litigate for \$10,000. That's why, when you take a look at the actuarial evidence, you see that three times as many people are going to get the right to sue for pain and suffering under the NDP plan. Now only 1% get the right to sue. Three times that makes about 3%. That's all that are going to have the right to claim, and the fact of the matter is that you're eliminating many, many more claims than those \$15,000 and less or that number would be much greater.

If the government genuinely wants to eliminate claims for \$15,000 and less—and that's what it's telling us in its legislation—it's got to lower its threshold. They've got to lower that deductible so that only claims of \$15,000 and less are eliminated. Otherwise, they're continuing to mislead the public. If you want this to be successful, that's the first thing you can look at.

Quite frankly, I wish they'd change the threshold to any serious claim for bodily injury or for psychological injury—any serious claim, not "serious and permanent" as we now have, which eliminates almost everyone, but for all claims, just "serious."

But if you don't want to do that, at least lower the threshold, the deductible, to \$7,500 so you're doing what you're telling people you're doing. Don't mislead the public any more on this issue.

The next area to discuss is economic loss. All I have to say about economic loss, and I said it a moment ago, is that the Liberals deserve great credit, because they took everything away from innocent accident victims that they could have but at least they said, "If you pass our impossible threshold, you can claim for your economic loss."

This government, again in total breach of its promise, has taken away the economic right of people to claim for their actual losses. Mr Charlton, the minister, has stood up and said: "Look, my plan is so good. My economic loss through my accident benefits is so good that nobody's going to lose any money. No one's going to fall through the cracks. Nobody is going to lose any money. Once you give credit for all the other benefits you get from all the

other sources, as well as your no-fault benefits, nobody's going to suffer any losses."

1630

Well, if that's the case, I put it to the government, restore economic rights for those who are innocent victims of automobile accidents, because based on what the minister has told us—I know the minister wouldn't lie, Mr Speaker. I know he wouldn't do that because he's an honourable man, and if his plan is so good and no one will fall through the cracks, it won't mean anything to give back economic rights, so I challenge the minister to do that. Give back those economic rights and prove to us that your plan is so good that nobody has to call on going to the courts to claim for those rights.

One other thing: I'm glad the new Minister of Correctional Services is here because I know he was very much responsible for bringing Ralph Nader to speak to the NDP caucus. Ralph Nader, who is probably the most renowned consumer advocate, came to the NDP caucus. Do you know what he told them? He said: "You can't take away tort rights and the reason you can't take away tort rights is because if you do that, there will be nothing left to hold insurance companies accountable when people have to make claims. If you don't have the right to sue, insurance companies will bury everyone. No one will be able to hold them accountable."

Quite frankly, unfortunately, the NDP caucus has either been muzzled, which is my guess, or they've chosen not to listen to the very sage advice of someone who knows a lot more about this topic than any one of them and I find that very, very regrettable.

Continuing on with economic loss, I hope it never happens to any one in this chamber, but unfortunately, when people are involved in car accidents, sometimes people die. That's called a fatal accident. When people are involved in fatal accidents and they are the breadwinner for their family, that family sustains an enormous pecuniary loss because that family has a dependence on the person who goes out to earn the money on which that family lives, on which the car is paid for, on which the house is paid for, on which the groceries are paid for, on which the holidays the family takes together are paid for, on which the children are educated and clothed. When that breadwinner's gone, that family sustains an enormous loss and if that breadwinner might be 30 years old, he might have had 35 years to work and he might earn \$20,000 or \$30,000 or even \$50,000.

You know what the government, in its brilliant, no economic loss policy, is prepared to do? They are prepared to pay that family \$200,000—\$200,000 for a family that may suffer a loss of upwards of \$1 million. They are going to tell that family: "Here's \$200,000, but the accident benefits you got paid you \$50,000, so you're only entitled to \$150,000. Here's your \$150,000. Go ahead, family. Go ahead and enjoy life. Enjoy life now and don't worry. We're going to build a whole lot of government housing, so when you lose your house we'll get you to come to a government-run apartment."

It's not funny. It's not a bit funny, as people laugh at me on the other side. The Minister of Culture and

Communications is sitting, laughing. Well, it's not funny when people die in car accidents and they're not paid what their actual losses are. It's not a bit funny and I fear for every motorist and every family in this province if this becomes law. You may laugh, but Peter Kormos is not selling you a line of goods.

Peter Kormos stood here for 17 hours—and I can tell you, the first person to run over to him when he finished was the Premier—and Peter Kormos said, "Restore the rights of innocent accident victims." Mel Swart, the guru of your party when it comes to auto insurance, said, "Restore the rights of innocent accident victims." But you are not listening and because of that, innocent people are going to be harmed; you who were the party that looked after the little guy; you who were the party that looked after the injured worker. I'll tell you something: You've forgotten who you are.

You still have time to correct what you're doing. Give back the economic right to claim. Lower the threshold. You can do that. You can stand up to this minister and you can stand up to the Premier, who I know personally does not believe in this piece of legislation. You can help him and you can help every innocent accident victim if you stand in your places, do the right thing and stand by the convictions you sold to the people when you ran in the last election. Stand by the convictions of Peter Kormos, whom everyone ran to to congratulate after his 17-hour speech here, and Mel Swart, who was the guru of your party when it came to auto insurance.

The member for Cochrane South thinks this is funny. I hope it never happens to him, because he's my friend. I hope it never happens to any one of you that you suffer a car accident and you're injured. I hope that never happens, but God forbid, if it does, let's make sure we have a policy of auto insurance that's going to cover us.

The Acting Speaker (Mr Dennis Drainville): Order. I'd ask the honourable member to please take his seat. A point of order, the honourable member for—

Mr Harnick: Well, my time is running out.

Mr Bisson: Mr Speaker, my point of order is that he's imputing motive, that about three members on this side of the House are laughing at what he says. I think the member should retract that. He's not allowed to do that in the first place and it wasn't done.

The Acting Speaker: I thank the honourable member. That was not a point of order. I'd ask the honourable member for Willowdale to continue his remarks.

Mr Harnick: Can I have my time restored, please?

The Acting Speaker: No. Please continue.

Mr Harnick: The other thing that just rubs me the wrong way is when I hear the minister talk about accident benefits being automatic. He has control over the motor vehicle accident claims fund. It's an insurance company run by the government in situations where there's no automobile insurance that exists to pay a person his accident benefits, or in the case of an uninsured driver, to pay him his claim when he sues. The minister stood, when he gave his speech the other day, and said: "Boy, in my Ontario,

this is going to be automatic. Everybody's going to get these payments automatically."

I talked about Linda Peake today. Linda Peake is a person who is now a quadriplegic. Linda Peake has been trying for almost 10 months now to gain accident benefits from the motor vehicle accident claims fund, which this minister controls, and she has not been able to do that.

When he tells people that the payment of accident benefits is going to be automatic, he is misleading the public again. I will tell you what the experience of innocent accident victims going to the auto insurance board has been since the Liberals' dastardly piece of legislation was passed. Innocent victims are going to the auto insurance board, they're getting there without representation, and the insurance companies are there with a lawyer. Innocent accident victims as well as at-fault victims are getting thumped and boiled every time they go before that board, because they're being hammered by insurance companies that show up with lawyers. I don't see anything in this legislation that's providing any adequate representation for accident victims who have to go to the insurance board.

I will tell you that those benefits are not automatic. When the insurance company cuts you off, you have to try to get those benefits restored. The insurance company has a lawyer. Who do you have? All you're getting under their scheme, up until you are cut off, is 90% of your gross income. Where do you have money for a lawyer? Then they cut you off and you sure as hell don't have money for a lawyer. You've got nothing.

I don't see anything in this piece of legislation that is providing any innocent accident victim or even an at-fault accident victim with any protection when he goes before that board.

I'm getting a little tired of people standing up here and telling me: "Under the NDP plan, we're giving away more money. The benefits are enhanced." Well, I can tell you, the benefits aren't enhanced.

If any of you own a calculator, you can sit down and find out that your plan, which is going to pay 80% of net income to innocent accident victims and to at-fault victims, amounts to paying them less in most cases than 80% of gross income, which is now the case under the Liberal plan.

1640

You know who gets hurt the most by changing it from gross to net? The low-income earner, the person who is least likely to have another plan in force to protect him. He's the one who gets hurt, because he's going to be getting less money than what you're now paying.

How can you people stand up here, one member after another, and say you're giving away more money? The person you profess to be protecting, the little guy, is coming out worse under your scheme than under the Liberal scheme. Furthermore, you're not giving him anybody who can go and fight his battle for him when he goes to the auto board.

I know that Lawrence Mandel has been in this Legislature many times at press conferences urging you to do the right thing, making himself available to tell you a little bit about auto insurance. What he says about—and I know, Mr Speaker, as a man of the cloth you'll appreciate this—

he says that going to the insurance board without a lawyer is a battle of David versus Goliath, but in this particular situation it doesn't have a biblical ending. Goliath is going to win every time. There's no biblical ending for David when he goes to the auto insurance board; and, you know, you people have a chance to correct this.

There's another issue that I want to talk about very briefly. It's the issue dealing with the cost of auto insurance. It's a very funny thing. The minister tells us—before he released his actuarial numbers last week going back to last spring and even into last summer while we sat here and watched the government flounder in the month of July trying to figure out how to pass its legislation and then needing to change all the rules to be able to do it, he said he had a plan. He reminded me of David Peterson. He said he had a very distinct plan that was going to lower costs. Well, David Peterson had no plan at all. He made it up after he made the promise, because he had an election coming.

But you people had a plan and, my goodness, he told us the price was going to go down. It's sort of like telling us today, when he put on his other hat as Minister of Energy: "Oh, I didn't know anything about Mr Holt leaving Ontario Hydro. He resigned." Then we find out he wrote a letter, and now we've seen the letter that says, "Get rid of the guy." I mean, that's what it says.

He tells us, this same minister, when he wears his Financial Institutions hat, that rates are coming down. Then he released his actuarial reports, which he's had for the last four months and hadn't shown anybody till last week in the middle of a speech when he gave them to us, and you know what? The rates aren't going down. The rates are going up.

Do you know what else? The rates are going up, and at the same time as the rates are going up, the public's getting less. They're getting less money for accident benefits. They're getting less money for economic loss, because there isn't going to be any economic loss. They've got a threshold that says every case under \$15,000 is going to be eliminated, when we know that it's going to eliminate cases upwards of \$25,000 and \$30,000, because that's what the actuarial reports say.

We also know that those most in need of the accident benefit recovery are going to be getting less under the NDP plan. Well, if that's the case, why are the prices going up? I'll tell you something. He says they're going up 8%. I can't believe that at all, because nothing else that he's told us about auto insurance has been factual. The insurance companies say it's going up 25%. Well, 25% and 8% means there's a difference of 17%. Which is it? How can you be instituting a plan and not be able to tell us how much rates are going to go up? It shows that you're not prepared to institute the plan that you're putting before the public. You don't know what you're doing.

Auto insurance, under the Liberal government and under this government, has been nothing short of an abortion. It is going to hurt every innocent accident victim in this province. Every single innocent accident victim in this province is going to be hurt, and the tragedy is that

innocent accident victims depended on this government when they went to the ballot box.

They heard this government say: "We are going to reinstitute the right of innocent victims to sue. We are going to do what our document on auto insurance, called Highway Robbery, said. We are going to reinstitute the right to sue." They said it. They said it in their Agenda for People, "We are going to reinstitute the right to sue."

Somewhere, on the way to this place, the minister says, "Oh, I found a better way."

Mr Chris Stockwell (Etobicoke West): No, "I made a mistake."

Mr Harnick: "I made a mistake. I found a better way." People who depended on you don't see it that way, and people who depended on you now have no opportunity—because you've told them one thing and you've done another—to do anything about it, not until the next election. The tragedy is that the minister is trying to ram this bill through the Legislature without having adequate public hearings around the province.

If you'd campaigned on exactly what you were doing and you'd been given a mandate to do it, then I could accept not having public hearings that go around this province contacting all the people who are interested in auto insurance. But when you don't do that and you change your mind and say you've made a mistake, it becomes more incumbent upon you to have adequate hearings around this province than at any other time, because no one has had an opportunity to discuss this particular piece of legislation. The only opportunity would be at public hearings, and I understand the minister wants to have public hearings while the Legislature's sitting, not go around the province to give people the opportunity to be heard, and I understand that he just wants to do this in a couple of afternoons.

What are you doing? Why are you trying to hide this from the public? Why aren't you putting ads in papers offering people the opportunity to come and talk about auto insurance? I'm waiting for somebody to stand up and say, "When this bill receives second reading, we're going to go in the month of January, in the month of February, like we do with all other significant pieces of legislation, and we're going to go and take it to the public."

I know the minister has told people in speeches that he's been giving, and I have a speech here that he gave back in February at the Grandview Inn in Huntsville—pretty nice place. The minister said, "There will also be public hearings, and I urge you to take part in this process if you have any comments about what the government is proposing."

I haven't heard the minister confirm that we're going to have public hearings. Here he is in Huntsville talking about this, offering people the opportunity to be heard, and now I hear we're going to have hearings in this building on a couple of afternoons, and then we're going to inflict the plan on nine million people in the province of Ontario.

I challenge the government to stand up, Mr Wiseman included—the guy who's going to have the dump in his backyard out in Durham—I challenge him to stand up and

say, "Yes, there are going to be public hearings and, yes, we're going to come to Oshawa, Durham, Peterborough, Sudbury, North Bay and Huntsville," where the minister made his speech. I challenge him to stand up and say that's what he's going to want.

Everything about this auto plan, everything about it, bothers me. Everything about it is shifty, deceitful and—

Mr Jim Wiseman (Durham West): You think you know everything about everything.

The Acting Speaker: Order.

Mr Harnick: There are promises that have been broken in every single aspect of this legislation, right down to the kind of public hearings we're going to have. I just can't abide that kind of cynical behaviour, that kind of deceit, and that's exactly what it is, telling people their benefits are going to be automatic but not giving them any allowance to have a lawyer, telling people that they're going to be able to claim for pain and suffering if their injury's worth more than \$15,000; we know damn well that your injury is going to have to be \$30,000, and if you get a \$30,000 injury, all you're going to get is \$15,000.

We know this legislation is not foolproof. We know there are people who are going to suffer significant economic losses. Every person, every family, every loved one who is in a situation where his family has suffered a fatal accident is going to be a loser under the economic plan of this policy. We know that is going to happen to every single person involved in an automobile accident in Ontario.

1650

I am a little miffed when I hear the parliamentary assistant get up and talk about future losses being a one-time assessment. Under the plan, you're going to get an allowance based on your current income. You're not going to get an allowance based on the opportunity you might have for advancement in the future. You're not going to get an allowance for the extra overtime you might work. You're not going to get an allowance because you're a student who some day may become a doctor or because you're a truck driver who may some day become president of the cement company. You're going to get an allowance based on the exact amount of income you're making at the time.

I can tell you that when economic losses are computed, they're computed based on the potential of an individual. As I said at the outset, if the minister and his bureaucrats think that this plan is so good, I challenge him to reinstitute the right of innocent accident victims to claim for economic loss, because this minister has told us that no one will fall through the cracks, and as I said before, if that's the case, no one will have any economic loss, and if no one will have any economic loss, the minister should have nothing to fear by reinstituting economic loss for innocent accident victims. But he won't do it. He won't do it because he honestly believes he has a plan here that's going to protect people. This plan is such a hodgepodge of philosophical contradiction that there's no one in this province who is going to benefit, let alone innocent accident victims.

I remind every one of you who is sitting here about your colleague Peter Kormos. I remind you about your colleague Mel Swart. I remind you who was the first person to rush over to Peter Kormos after he stood here for 17 hours, pleading for innocent accident victims, and it was Premier Bob Rae. It was Premier Bob Rae who was the first person to endorse the position Peter Kormos took. To pretend now that this didn't happen, to pretend that Peter Kormos no longer exists, to try to create a situation where Peter Kormos won't have the opportunity to speak is appalling. I, for one, am looking forward to seeing the remarks of Peter Kormos. I know Peter Kormos represents what the NDP used to be all about. He represents the little guy who was hurt in an accident and who demands, because he's an innocent person, his actual recovery, not 10 cents on the dollar that you're prepared to give.

The Acting Speaker: Questions and/or comments?

Mr Owens: I listened carefully to the remarks of the member for Willowdale. I'm going to be a little bit more charitable than the member for Willowdale was when he first stood up, as maybe the patience of the Speaker with respect to language has grown a little bit shorter. The member for Willowdale would want people in the House and viewers to think that we are going to tear the lives of accident victims asunder by the passage of this legislation. I disagree.

He talked about the breadwinner being killed in an accident. We understand there are fatalities in accidents. He wants to lead you to believe that nothing will be put into place for the family. He neglects to mention the care giver benefit. He neglects to mention the dependant care giver benefit.

We now have the name of a second person launched across and an allegation from the House. Last Thursday we had the name Darcy, the member for Dufferin-Peel's 31-year-old constituent. I'm still waiting for the letter. Now we have the name of a second person, Linda Peake. Why don't these members send this information over? What are they afraid of? They're afraid of being challenged. Send it over. We'd like to take a look at it.

The member would lead this House to believe that an insurance company can unilaterally cut off a benefit recipient and that's the end of the story. If I can ask the member to look at section 70 of the draft accident benefit regulation, while the insurance company can reduce or cut off benefits, the victim, within five days, can receive payment of all benefits owed and a continuation of benefits with the simple production of a certificate from a medical practitioner.

That's not what's happening now, that's not leaving people out in the cold, but that's exactly what the members of the third party want this government and the constituents of our ridings to believe.

The Acting Speaker: Questions and/or comments?

Mr Tilson: I think we should all listen to the member for Willowdale and many of the issues he has raised, particularly the initial comment that he made about the broken promise. There are a number of broken promises that were made by this government when it was running for office,

and specifically even after it obtained office, but I think the major promise that it broke was on the subject of eliminating the right to sue for lost past, present and future income. That is one of the major positions of the opposition, of the Progressive Conservative Party at least, as to why that hasn't been dealt with. That's a basic right we all have. Why has that been taken away?

On the whole subject of the \$15,000 deductible for pain and suffering, there's no question that this is lower than the current threshold that was set by the Liberals, and the Meyer case has proven that this is simply an unworkable test. But there's also no question, with the \$15,000 deductible issue, that those seriously and permanently injured victims, the paraplegics, the quadriplegics, will be entitled to sue for far less compensation than they normally would have received, as a result of Bill 164. With the \$15,000 deductible, the government still is, in effect, eliminating the right to sue in about 85% of all cases, so it hasn't improved the situation at all. In fact, it's the same or in some cases even worse.

What they have established is a meat chart. The current ability to tailor compensation to meet the needs and prospects of innocent individual victims will be eliminated. Instead, compensation for all victims will be reduced to the lowest common denominator, and that is in the form of a meat chart. What kind of assistance is that? What kind of deal is being set to deal with the terrible situation that was put forward by the Liberal OMPP? I think we should all listen to the member for Willowdale and his comments.

The Acting Speaker: Questions and/or comments?

Mr Kormos: I listened to Mr Harnick's speech, and I tell you, I got a little nervous when he started talking about my convictions. But then I realized, of course, he was talking about my position on auto insurance and that alone. I wouldn't have expected anything more or less from the member.

In this brief period of time, let's set the record straight. When is 90% less than 80%? It's either in the final chapters of Animal Farm or it's in this very Orwellian legislation.

Let's do this exercise; it's a simple one. Everybody pull out their Crayolas. Let's take a gross income of, let's say, \$700, because down where I come from, a whole lot of people who have jobs, the ones who do, work really hard for \$700 a week. Even under Bill 68, if that person is entitled to his or her no-fault benefits—and let's not mince words here, these are no-fault benefits—80% of gross, 80% of \$700—and help me with this, because I'm not really good at math—is \$560 tax-free.

1700

The net income of a person earning a gross of \$700—let's take a conservative figure for deductions. Somebody help me along. Let's talk about maybe \$700 less 20%, and that's a very modest figure. We'll deal with \$700 less 20%. That's less \$140. That comes out to \$560. It just so happens that 90% of \$560 is—

Mr Harnick: That's \$450.

Mr Kormos: —\$450 and \$45, \$495. Well, by God, 90% of the net is significantly less than 80% of the gross.

This legislation grabs injured victims by the ankles, turns them upside down and shakes every last nickel and dime out of them. By God, they got assaulted once by the drunk driver and they're attacked a second time by legislation that reduces their weekly benefit. Let's not forget that.

The Acting Speaker: Further questions and/or comments. The honourable member for Etobicoke West.

Mr Stockwell: I think the member for Willowdale spoke historically very well. He obviously has been around this issue longer than some others. I'm not really sure why the members opposite snicker and laugh. I honestly don't. I mean, if I were part of a government that brought forward this kind of legislation, after saying what they said on the campaign trail, you'd have to rope me to get me into the House to sit here. It's so discrediting to this party and these people. You'd have to rope me to get me in here and sit here and listen to the opposition members remind these people about what you spoke of in opposition.

When they were in opposition they spoke of, "What gives you the right to determine how much anybody would get from an accident, how much money they would receive for the rest of their lives from an accident?" You said it.

Mr Bisson: Can you turn down the sound system?

Mr Stockwell: And quips like this, from the member from who-knows-where and probably no place next election, quips like this, after the promises you made to your constituents. You're going back on the promise which was most important, about ability to sue, ability to recover what your lost income would be. Yet you sit here snickering and laughing when in opposition we're putting forward the exact argument you made on this side of the House and campaigned for in this province. I can't believe they could rope enough members to sit here and allow themselves to be browbeaten by the opposition—and you'll note most of them are new members; I'm quite sure they don't even understand the issue—let alone be browbeaten into submission, compared to the promises you made to the people of Ontario.

The member for Willowdale deserves your applause. He's trying to protect your honour.

The Acting Speaker: The honourable member for Willowdale has two minutes for response.

Mr Harnick: First to the parliamentary assistant, who alleges that I made up Linda Peake, let me tell you—

Interjection: He didn't say that.

Interjection: Yes, he did.

The Acting Speaker: Order, please.

Mr Harnick: —the motor vehicle accident claims file with the Ministry of Financial—

The Acting Speaker: Please be seated. The honourable member for Scarborough Centre has a point of order.

Mr Stephen Owens (Scarborough Centre): The member for Willowdale has alleged that I accused the member of making up a name of a constituent. I simply asked that the member provide the name and the story for us to follow up within our ministry. No such allegation was—

The Acting Speaker: Order. The honourable member should take his seat. The honourable member for Willowdale has the floor.

Mr Harnick: May I have my time back, Mr Speaker?

Mr Tilson: Twenty-five seconds elapsed.

Mr Stockwell: Why can't he have his time back? It was a point of order from over there.

Mr Harnick: Let me just deal with this. The motor vehicle accident claims file number is F200-16801-4. So if you don't believe me, go look at the file. You'll see about the lady you cut off who's a quadriplegic.

There's only one thing left I have to say at this particular time, and that's that I hope, God forbid, none of you or your families is involved in a car accident after this legislation becomes law, because when you call up your insurance company and you find out you have no claim and your economic loss has been taken away from you and your right to sue for your pain and suffering is minimalized, you will be the first people to complain. You'll say: "My God, how can those awful insurance companies do this? We should have public auto and this would never happen."

Well, you had your chance with that too, and the only people you're going to have to blame for inflicting this on the public are yourselves, and because of this you aren't going to be here next time and this legislation will then be corrected properly.

The Acting Speaker: Further debate? The honourable member for St Catharines-Brock.

Ms Haeck: As one who has her feet firmly planted and doesn't live in the dreamland of some tort system that is going to cost us huge amounts of money, I will continue.

Our compensation plan is an innovative breakthrough offering enriched and automatic accident benefits for economic losses and greater access to the courts for compensation—

Interjections.

The Acting Speaker: Order. Please be seated.

Interjections.

Mr Stockwell: Were your feet firmly planted in your mouth, last election?

The Acting Speaker: Order.

Interjections.

Mr Bill Murdoch (Grey): It's called foot and mouth disease.

Interjections.

The Acting Speaker: Order.

Mr Harnick: Where were Bob Rae's feet planted when he wrote highway robbery?

The Acting Speaker: Order.

Mr Harnick: Where were Peter Kormos's feet?

Interjections.

The Acting Speaker: Order.

Interjections.

The Acting Speaker: Order. I think I heard it said by some honourable members in the House that they would

like the debate to happen and that the people of Ontario should hear this debate. If that is true, and I assume it is on both sides of the House, I would ask both sides of the House to maintain the decorum of the House.

Mr Bisson: It was the opposition.

The Acting Speaker: Order, please.

Interjections.

The Acting Speaker: Order. The honourable member for St Catharines-Brock has the floor.

Ms Haeck: Thank you, Mr Speaker. I will start again. Our compensation plan is an innovative breakthrough offering, first of all, enriched and automatic accident benefits for economic losses and greater access to the courts for compensation for pain and suffering. Together, this provides fairer—

Interjections.

The Acting Speaker: Order. The honourable members for Willowdale and Dufferin-Peel will come to order.

Ms Haeck: It combines the liability-based and structured-benefits approaches in a way—

Interjections.

The Acting Speaker: Order.

Ms Haeck: If I may continue. Excuse me, I will begin again.

Our compensation plan is an innovative breakthrough offering enriched and automatic accident benefits for economic losses and greater access to the courts for compensation for pain and suffering.

Mr Harnick: Oh, really?

Ms Haeck: Yes, thank you. Together, this provides fairer and affordable—

Mr Harnick: Really. How much greater? We are going to go from 1% to 3%.

The Acting Speaker: Order, please. The honourable member for Willowdale is going too far. You're treading the line right now by saying some of the things you've said in the last few moments. It is not fair to this House that members start throwing allegations across the House. It is not fair. So I'd ask the honourable member to receive the same kind of dignity and respect that you would want if you were standing and speaking, and I say that to all the members in the House.

Interjections.

The Acting Speaker: Order, please.

Mr Stockwell: Mr Speaker, on a point of order: I think you'd find more respect if you allowed a filibuster for 17 hours.

The Acting Speaker: Thank you. There's no point of order. Please be seated. The honourable member for St Catharines-Brock has the floor.

Ms Haeck: Thank you, Mr Speaker. Together this provides fairer and affordable coverage. It combines the liability-based and the structured benefits approaches in a way that will be most effective. It provides for the reasonable recovery of economic losses for every injured person,

and I stress that, "injured person," every injured person. It also provides special recognition of pain and suffering.

The \$15,000 deductible creates the equivalent of a lower threshold. Three times as many can sue as under the Ontario motorist protection plan—three times as many—and 18% of tort claimants can benefit from the ability to sue, up from about 6% in the current system. That's 15,000 people annually, instead of 5,000, who will have access to the courts.

I would now like to speak more specifically about the scheduled accident benefits. The premise of the new plan is fair and reasonable compensation for all. Obviously the members in the Tory caucus don't want to hear that because they've turned off their hearing aids. Our system will be one where scheduled accident benefits are provided for all injured drivers. Economic loss benefits are for lost income, lost earning capacity in the future and costs of rehabilitation and care.

1710

Why compensate every injured person for economic losses through automatic accident benefits? I want to review the reasons behind this policy.

Everyone, regardless of fault, has economic needs to cover income losses, care and rehabilitation costs.

Compensation is central to a compulsory insurance scheme; it is its predominant function. Injured persons expect to be compensated for their losses. We must judge the quality of the insurance system by its ability to deliver adequate compensation to those who need it, quickly, efficiently and, may I stress, fairly. Automatic scheduled benefits can do this.

Comprehensive, automatic accident benefits provide equitable and reasonable recovery for economic losses for all. Everyone is treated the same, with benefits based on a set of rules. It's not unpredictable, if I may stress again, like the court system, where some get compensated and others end up with little to show after long and expensive procedures.

Tort is random and uncertain; fault is often not clear. Anyone can make a human error; in most cases, at-fault drivers were guilty of human behaviour. Human errors are not legitimate reasons for allowing a wide gap in the full compensation for tort claims. Automatic benefits are much more appropriate.

Structured accident benefits are available immediately and automatically, with an ongoing assessment of the needs of injured claimants. This means that rehabilitation and recovery can begin immediately and people can return to their pre-accident lifestyles. Tort claims, in contrast, take years to settle, as I have witnessed in my own riding.

Structured benefits remove the very high transaction costs associated with the court system. These cost savings can be put back into better benefits, like rehabilitation, for accident victims, especially those seriously disabled.

Early access to compensation reduces long-term costs. The sooner injured individuals receive the rehabilitation they need, the more likely they are to achieve a prompt and full recovery, relieving some of the stress in the health care system.

The adversarial system is a costly and uncertain way of compensating even the limited few; recovery can depend on many factors, even if the driver was not at fault. There may be no one to sue, the other party may have insufficient liability insurance to provide benefits or the injured persons could be badly served by their legal counsel.

Claims costs are more predictable with automatic benefits. As a result, insurance premiums will be much more stable. Tort settlements, on the other hand, vary widely, making claims costs unpredictable.

Weekly benefits make more sense than one-time lump sum tort awards for future economic loss. Lump sum tort awards for future loss are irrational. Lump sum awards are based on one-time assessments of needs using a number of difficult and complex assumptions about the future. This results in overcompensation to some, undercompensation to others.

Structured benefits make sense. They can be indexed based on actual inflation, not forecasts. Claimants with permanent disabilities can benefit from changes in medical and rehabilitation technologies in the future, because payments are made based on ongoing need rather than a one-time assessment.

Tort and liability may provide some deterrent to bad driving, but this should not be done at the expense of adequate benefits for all injured persons. Irresponsible drivers can be dealt with through higher premiums, the driver licensing system, systematic driver improvement programs for poor drivers and criminal charges.

Now I would like to speak about allowing access to the courts for pain and suffering. Our system will provide greater access to sue for compensation for the pain and suffering of those who are seriously injured and can prove someone else was at least partially at fault. These non-pecuniary losses are pain and suffering as well as loss of enjoyment of life and reduced life expectancy. Psychological as well as physical injury will be included, a big improvement, I might add, over the OMPP.

Why provide expanded recognition and recovery of compensation for pain and suffering through the tort system? There are two main reasons: Those who can prove someone else was at least partially negligent deserve recognition for their special losses. The courts provide a fair mechanism for attributing fault. The courts are well equipped to deal with the intangibles of pain and suffering. Pain and suffering losses are very different from economic losses. First, pain and suffering damages are more difficult to define financially. In addition, the types and levels of pain and suffering vary across individuals. For example, the loss of a hand may create more pain and suffering for a pianist than, say, someone like myself, who happens to be a librarian.

The courts have the expertise and tools at hand to make fair assessments of these intangible and individualized losses. Pain and suffering is not suited to a fixed schedule of benefits; individualized assessment is what is needed.

I will now highlight some of the results of our proposed pain and suffering tort model. First, more people can sue. Eligible tort claims are tripled. The current OMPP threshold provides extremely limited access to suing.

Under the new system, with a \$15,000 deductible, three times as many injuries will gain some recognition of pain and suffering; as I have said, that's roughly 15,000 people who can pursue tort claims, up from the Liberal plan, which only allowed 5,000.

The use of a monetary deductible represents a different way of determining who can seek compensation through the courts for pain and suffering. The OMPP has a verbal threshold. This is a written description of the injuries that qualify for suing. The OMPP threshold specified that injuries had to be serious and permanent physical injury, disfigurement or death. The monetary deductible is a simpler, more equitable and understandable way of providing access to the courts. It offers more certainty than verbal descriptions which are vague and difficult to interpret.

The legal community, through practice, knows the rough values of pain and suffering losses. As I mentioned earlier, pain and suffering from psychological injuries will be recognized. This is not an insignificant change. The OMPP unfairly prohibited suing for psychological injury. Many people were seriously injured under the OMPP and yet were excluded from suing, despite their very substantial pain and suffering. Their lives have been disrupted, yet they've had no recourse to the courts for some recognition of their non-economic losses.

Pain and suffering tort is a more efficient and effective use of tort. Many more people can sue, many more seriously injured innocent accident victims will get recognition of their pain and suffering and there will be savings from lower transaction costs in court settlements. This is because pain and suffering tort cases are much less complex to assess than economic loss tort cases. There are fewer issues to be addressed; for example, no need to prove future wage loss, and a reduced need for expert advice. This means big savings on legal costs.

Costs will be contained by the well-established fair and equitable practice of the courts in awarding pain and suffering awards. Pain and suffering awards are capped at about \$240,000 indexed. This provides assurances that tort awards will be fair and yet will not escalate beyond reasonable levels.

1720

Our compensation framework is affordable. When all of the costs and savings of our reforms are balanced out, these significant enhancements are affordable relative to the OMPP. This is because, I will reiterate, of the innovative combination of accident benefits for economic loss and the ability to sue for pain and suffering in our new plan. This involves an efficient and effective use of premium dollars. More money is directed to the injured accident victim. I will repeat that: More money is directed to the injured accident victim.

The Deputy Speaker: Questions and comments, the member for Nepean.

Mr Hans Daigeler (Nepean): I have just a few remarks in response to what the member for St Catharines-Brock just said. As a member of the governing NDP, obviously she's full of praise for this particular initiative but, for the life of me, I can't see why she is so proud of

this bill that's before the House because, frankly, when you take away all the rhetoric, I think the whole issue boils down to a tradeoff.

This is an issue we had to face when we were in government; this is an issue the government has to face now. That tradeoff is either you're going to have reasonable premiums and then you will have to reduce the benefits to some extent or you're going to have relatively substantial premiums and then you can obviously pay out higher premiums.

Where do you draw the line? That is a decision to be made by the government of the day. But this government certainly is not going back to the promise the member for Welland-Thorold had been fighting for somewhere around this spot, in fact, in the last Legislature for many hours. In fact it's basically staying with what the Liberal government had proposed and it's making a few minor adjustments. I ask the government, why did you go out during the campaign and make all kinds of promises that you obviously cannot keep? It is another one in your long row and your long stretch of broken promises.

The member for Welland-Thorold is here to witness. Every time he stands up he says it to you. He is the person who gives witness to the fact that you made the promise and that you're not keeping the promise.

Mr Harnick: It's very interesting to see someone come into this House and read verbatim a speech that I believe was prepared by someone else. The conviction with which that speech was read, using words like "negligible" as interchangeable for "negligent," leads me to believe that the level of understanding of what this is all about by the members on the government side is really negligible.

Part of the opportunity to stand for the two minutes is to ask questions and I notice, Mr Speaker, that you say "Questions or responses." What I'd like to ask the member who just spoke, and I'd like her to address this when she stands in her two minutes, is, how will the accident benefits your government is proposing become automatic? How will it be that anybody who's involved in an accident will just get the automatic benefits? How are they going to get them and what's going to happen when the insurance company cuts them off? Who's going to be there to protect them?

I want to know how these benefits are going to be automatic. I hope these benefits are more automatic than Linda Peake's benefits. She's a quadriplegic. She can't get her money from the motor vehicle accident claims fund. Who runs the motor vehicle accident claims fund? Well, my goodness, it's the Minister of Financial Institutions, Brian Charlton, the member from one of those Hamilton ridings.

If it's not automatic now, how's it going to be automatic later? I'm amazed when you stand up and you tell me that this is going to be affordable. Mr Charlton stood up and he said, "The rates are going up." How is it going to be affordable? "Well, I don't know exactly how high they're going, but they're going up."

Mr Owens: I'm not going to fight the ghosts of public auto. That's the responsibility of the member for Welland-Thorold, as the minister responsible for ghosts. I know what I feel about public auto and my caucus members know what I feel about public auto.

I would like to thank the member for St Catharines-Brock for her very succinct outline of the accident benefits that will be available to accident victims across the province. She mentioned quite succinctly once again the income replacement benefits, indexed benefits. The members of the third party, when they do their calculations, neglect to mention indexation. It's an important issue.

The issue with respect to students: A student will receive payments: \$2,000 per elementary school year; \$2,000 per secondary school year for a limit of two semesters; \$4,000 for a post-secondary student. Disability benefit, a care giver benefit, a dependent care benefit—

Interjections.

The Deputy Speaker: Order.

Mr Owens: —a supplementary medical and rehabilitation—the caps have been taken off long-term rehabilitation, something the members of the former government didn't understand or want to do.

The member for Niagara South tells me she has constituents calling and saying: "We were hurt under the Liberal government's plan. We are limited by the number of dollars that we can spend in our long-term care. We have taken"—

Interjections.

The Deputy Speaker: Order. The member for Scarborough Centre.

Mr Owens: It's unfortunate, Mr Speaker, that the members of the third party can't keep quiet for the whole sum of two minutes.

In terms of the supplementary care and rehabilitation benefits, again we've taken off the lifetime cap the members of the former government were so insistent on putting in.

The Deputy Speaker: Your time has expired. The member for St Catharines.

Mr James J. Bradley (St Catharines): I was listening with a good deal of interest to my colleague the member for St Catharines-Brock speaking. I thought she might have explored the issue of how this is a betrayal of NDP policy. I think she avoided that because she is right adjacent to the member for Welland-Thorold, who had the following to say about it. He said, "Their wacko, knee-jerk amendments to the existing legislation," and described Charlton's amendments as a complete betrayal of party policy.

I thought that perhaps because my friend the member for St Catharines-Brock is adjacent to the member for Welland-Thorold in terms of jurisdiction, she might have commented on that and determined whether in fact he was wrong or her party and her government were wrong.

I well recall during the election campaign how many people with the New Democratic Party, probably including my friend the member for St Catharines-Brock, said on the

platform that they had a better idea for automobile insurance; that indeed, they would be restoring some of the benefits they felt the previous government had taken away in terms of no-fault benefits. In fact they were going to go further and make it publicly run.

I remember speaking in the House about some assistance for local people, and one of the people, a hard worker in the campaign for the member for St Catharines-Brock, who was the vice-president of CAW Local 199, wrote a letter to the editor after I had tried to assist in getting some funding and said, "Well, you know you really can't trust Bradley because those Liberals are in bed with the insurance companies or are in the pockets of the insurance companies."

Now I find out the member for Welland-Thorold says there's a lot of room in that bed and that in fact his own government is there. I'm sure if the member had sufficient time, she probably would have included that in her speech. I certainly enjoyed her speech this afternoon.

The Deputy Speaker: The member for St Catharines-Brock, you have two minutes to reply.

Ms Haeck: Thank you, Mr Speaker. It's always a pleasure to hear from my colleague the member for St Catharines. We have a very amicable relationship, he and I, and I know he is trying to provide some insight into this whole process.

But it is true, the member for St Catharines, that I don't necessarily share all of the views of my colleague the member for Welland-Thorold. In fact I recall in speeches of the former member for Welland-Thorold that he made comments about clearing up the court system as a result of a public auto insurance plan.

I respect Mel Swart. People frequently make use of his comments in this House and I think sometimes are probably not aware of how much of a consumer protector Mel Swart actually was. I'm not sure that in all instances he would support all aspects of what is being put forward here today.

1730

Mr Harnick: Tell us what his position is on the bill. How does this consumer protector like your bill?

The Deputy Speaker: Order, the member for Willowdale. You had your turn.

Ms Haeck: I don't see this as any kind of betrayal. Personally, I see the whole process of improving on the Liberal legislation as one of providing a much fairer system for all Ontarians, all drivers, all accident victims. It provides them with access to a fairer plan, one that will give all people who are injured a benefits package which under the current plan they do not get.

I do recognize, as the member for—I'm sorry, it's one of the Ottawa ridings. I have forgotten.

Mr Bradley: Nepean.

Ms Haeck: Thank you, member for St Catharines. I understand there are these tradeoffs and cost factors.

The Deputy Speaker: Thank you.

Mrs Elinor Caplan (Oriole): I am pleased to rise and participate in this second reading debate on Bill 164,

which is an act to amend the auto insurance system here in Ontario.

I'd like to use the time available to me to speak on behalf of my constituents in the riding of Oriole and perhaps explain exactly what is happening, because we know we have heard a lot of rhetoric about this bill. I'd also like to explain to my constituents and other Ontarians who may be watching these proceedings the process we're engaged in today.

This is second reading debate of Bill 164. Following a vote on second reading, which I expect will occur within the next couple of weeks, Bill 164 will be sent out to committee, hopefully for extensive public hearings, because I believe this is a matter of significant public interest. I believe that committee will be the standing committee on finance and economic affairs, of which I am a member, so I will have an opportunity to participate in the public discussion of this bill and the public hearings that will continue.

There will be an opportunity for the government to amend this bill at committee. There will be an opportunity at the end of the committee hearings for the bill not only to be debated but for amendments to be placed at the committee level, before the bill is then brought back to this House for third reading.

I am hopeful that the government really is willing to listen. We've seen some very significant policy changes by the NDP and I would like to put on the record what some of those policy changes are, because I think it helps people to understand the bill and see where we are today.

From April 1987—that wasn't so long ago, I know you'll agree, Mr Speaker—this is a quote from the NDP submission to the Osborne inquiry, which was examining the state of Ontario's auto insurance system at the time. The quote was, "We must take compulsory car insurance out of the hands of private industry and set up a driver-owned car insurance plan in Ontario." I think that was the first time that people in Ontario really heard very clearly what the NDP plans were for the auto insurance industry.

You know, Mr Speaker, because you were here in the Legislature at the time, the process the Liberal government went through in examining this issue. I know you're also aware why this was such a significant and important issue. Insurance rates were rising dramatically. People were quite frustrated with the length of time it was taking to get the kind of settlements and awards through the tort system. There were great costs. I know there was tremendous frustration not only with the tort system but particularly with the cost.

The reason the government was particularly interested was because it is a requirement of the government for drivers in Ontario to have insurance in order to be able to get a licence to drive a car in Ontario. So it was determined that the government would attempt to find a product. Now, when we used the term "product," that was the product that would be sold, the basic level of insurance that would be required in order for someone to get a licence and drive a car in Ontario. That's what product reform was all about. It was to reform the auto insurance

system so that what you ended up with in Ontario was more affordable.

As I said, that was extremely important, because people were concerned at the rate at which insurance premiums were escalating. This was back in 1987. As we as well know, there were concerns about having fairness brought into the system, as well as accessibility both to auto insurance and to a product that people would feel best represented their interests in this province, both from the perspective of coverage and for the purposes of claims if, unfortunately, they were in an accident.

We went through the many, many hours of discussion and debate. We learned an awful lot about the insurance system. We heard from the Osborne task force, in its finding and summary in 1988, and this is a quote. The Osborne report said, "The startup costs of a public automobile insurance corporation, the elimination of the benefits of competition and the likely increase in the number of high-risk drivers, and therefore claim costs, will reduce, if not eliminate entirely, the potential for cost saving from conversion to public automobile insurance."

I will say to you, as someone who was a part of the debate and the discussion here in this Legislature, and in fact in the cabinet of the province of Ontario in 1988, that this had an enormous impact. We believed that what the drivers in Ontario were most concerned about at that time was affordability of premium and fairness of claim response. Those were two very important and key ingredients.

We knew that the New Democratic Party was advocating a publicly run auto insurance system. We knew that was the basis of their policy, and I know that many will remember that in the summer of 1990 that was the policy, the election campaign platform of the New Democratic during that summer campaign.

What I find really significant is that the throne speech of November 20, 1990, that first throne speech from Bob Rae, made this commitment to the people:

"After a period of discussion, we will introduce, in the spring, a bill to reorganize the delivery of car insurance to the driving public....

"Our intention is to create a system that will provide the best service at a reasonable cost to drivers, and at the same time ensure access to a fair settlement of claims for personal and other damages. We believe that a driver-owned plan can provide the best service to the public."

That quote came from the throne speech of November 20, 1990, and they made that statement notwithstanding the evidence of the Osborne report; they made that notwithstanding all the evidence and the submissions that had been made. But in fact that was the commitment of the NDP government in 1990 as it was about to reform auto insurance in the province of Ontario.

I heard from many of my constituents during the summer of 1990 that they had witnessed the 17-hour filibuster led by Mr Kormos with the support of now Premier Rae, and they were concerned because they believed the NDP perhaps had a better idea. I've heard from many of my constituents over the course of the last number of months, since the election of this government, how shocked, disappointed and, I would say—and I've spoken on this several

times in this Legislature—how cynical they have become, because the actions of this NDP government are so different from what it told the people, not just during the election campaign of 1990, but even in its throne speech shortly after it was elected.

1740

Having given this little bit of history, which I think is very important to understand how we got here to Bill 164, having set aside all of those things that they promised in the summer campaign of 1990, having set aside all of those things they promised in the election, having set aside all of those things they said in their throne speech in the fall of 1990, we had a change of minister and we had a new minister bring forward Bill 164.

Bill 164, in my opinion, really is an unnecessary piece of legislation. It is unnecessary because it does not achieve any of the goals that were established by the NDP when it was in opposition. In fact I think the people of this province, when they start to understand what Bill 164 contains, will come to the conclusion that Bill 164 is not in the public interest and, unfortunately, I think they will realize they are being deceived by the NDP government once again.

The goal that I have always had as a member of the Legislature has been to serve the public interest and to serve my constituents. The goal that I have for a system of auto insurance in the province, which is a requirement of the ability to drive a car, is that the system, that basic package that is a requirement for drivers in Ontario, should be affordable, and that in case of injury, people should be fairly treated and should be able to access the system, not only in a way which speeds their claims but also responds to what their real need is.

The Ontario motorist protection plan was introduced to achieve those goals that I have just stated, and it's my opinion that Bill 164 actually proves that the OMPP is working quite well. I'm not standing here to say that it's perfect. Rarely is any new proposal brought forward that is perfect. Things always require fine-tuning, change and amendment as you see how they're working.

In fact the OMPP is relatively new and we really haven't had sufficient experience with it to determine yet where the changes should be made to bring the kind of fine-tuning amendments forward to that piece of legislation which will respond to the concerns of the people who have been affected by that new piece of legislation.

But for all intents and purposes, from everything that I've heard from my constituents, from those who have had minor accidents, from those who've had major accidents, they are generally satisfied with the response that they have had. I can tell you, Mr Speaker, that my constituents are pleased with the fact that premiums have come down in the province of Ontario as a result of the Ontario motorist protection plan. They are pleased that premium rates have remained lower than they thought they would be and that they have been stable within the province of Ontario.

Good drivers with good records have really benefited under the Ontario motorist protection plan and people with poor driving records are the ones who have had to pay more, and that is seen as fair. But overall, as a generalization that is a fair generalization, I believe one can say that

premiums today are lower in Ontario than they would have been if the Ontario motorist protection plan had not been brought in.

I acknowledge my colleague the member for Cochrane South, who says, quite rightly, that the statement I have just made is true and fair and accurate. Therefore, it brings me to question why we have Bill 164 before us today, because I do not believe that we need new legislation now.

I also believe it is my constituents who are unaware of what this bill does: As it may increase benefits for some, it will severely limit benefits for others, and the ones it will limit those benefits for are the ones in my view who will probably need it the most. I'll go on to explain, if I can.

The other concern that my constituents should have and that I have on their behalf is that Bill 164 will probably result in increased premiums for consumers. Just as a moment ago I made the statement that premiums in Ontario are generally lower than they would have been because of the implementation of the Ontario motorist protection plan, I will also make the statement that it is my view, which has been supported by others who have an interest in this subject, that premiums likely will increase as a result of Bill 164 simply because of the uncertainty that is created by Bill 164.

Let me identify some of those areas of uncertainty. While this bill will allow more accident victims to exceed the threshold and sue for pain and suffering, we know that will not necessarily mean a greater benefit to them because there has always been a cap on pain and suffering and the greatest proportion of suits and awards in our courts have always been for economic loss, not for pain and suffering.

By removing the right to sue for economic loss for those who are severely injured, those people whose lives are devastated because of a terrible accident will not be able to recover for loss of income over the course of their lives and that is a serious flaw in this legislation, because it is a tradeoff which I believe the consumer in this province will realize is not in the public interest. All future economic loss as a result of Bill 164 will be compensated through the statutory accident benefit system. There will no longer be the right to sue for economic loss through the courts for those seriously and permanently injured people.

This denial of the right to sue for loss of income is a greater restriction than what was available under the Ontario motorist protection plan and this provision is a significant betrayal by the NDP of the very people it purported to want to assist in its fight against the OMPP. They are making the situation worse for those people whom they advocated for vigorously during the debate of OMPP. I can't say it strongly enough and I don't believe the public really is aware of the seriousness of that particular provision of this bill.

Under Bill 164, the bill that is before us today, accident victims will no longer be able to sue for loss of income. However, the right is granted to sue for pain and suffering with a deductible. The one thing most people don't realize is that the courts have established over a period of time significant and very specific awards for certain types of pain and suffering.

Because of our legal system, which is one of precedent, you can pretty much determine and judge what you're likely going to get if you sue, and there is concern by many that establishing the \$15,000 threshold deductible will (1) be a significant deterrent but (2) will not be a deterrent at all; it may well become the floor. It will change over a period of time and ultimately result in higher premium costs, without much benefit to the people who are encouraged to sue because of the high legal costs that will come as a part of that court action.

1750

I know this sounds complicated, and it is, and most people don't understand a lot of the provisions, but the one thing they tell me is that they want premiums kept down. This particular provision is not going to help keep premiums down. This particular provision is not necessarily going to result in higher awards for individuals. This is only going to result, in my view, in higher premiums.

The expansion of the right to sue for pain and suffering on the one hand, accompanied by a narrowing of the right to sue for economic loss on the other hand, is not only a betrayal of the NDP commitments; it is the kind of thing that breeds cynicism in our society. I say to the government members who are here today, think about what you are doing, think about the message you're sending out to people when you do this. You're making them more cynical by this kind of response. I encourage you to think again.

The NDP government admits that this new law will allow more accident victims to sue for pain and suffering. We know it's going to increase the number of lawsuits. We know it's going to increase the amount of the premiums. What we don't believe is that it will increase the benefit to those people who are launching the suit. That's the point.

I must say that this provision, along with several others, increases the uncertainty of this bill, the uncertainty of the climate for auto insurance in the province; and that uncertainty is not in the interests of my constituents in the riding of Oriole, it is not in the interests of attracting business to this province and it is not in the interests of the people who are now providing that service.

Let me give an example. I believe that many insurance companies that have reduced their premiums because of how well OMPP is working will, because of the uncertainty this bill creates, because it will be very difficult for them as you remove certain caps on rehab and so forth—I believe the cap was important only to allow for personal planning. I also believe, from a previous life and my involvement in this particular issue, that very few people would break through a cap of \$500,000 for rehab and \$500,000 for home care. But the uncertainty of how many that's likely to be will cause premiums to increase. Just the removal of that cap, even though it will benefit very few people—I've had the quotation that maybe 10 per year might benefit—will not benefit the overwhelming majority of the people, because it will result in higher premiums just because of the uncertainty. The benefit to the individual will not be significant. I believe you should reconsider that when we're at committee, because that's not in the public interest.

I would suggest that ultimately the provisions of this bill, the fact that government by regulation will be able to define so much, leads to the kind of uncertainty that will have a tremendous pressure to increase premiums. What this bill does is remove the security and the stability from the market. That stability is another example where the indexation of costs—everybody thinks that's a good idea. I think that's a good idea. We don't know what effect that's going to have on premiums, and my constituents say, "If you're going to force me to have insurance in order to drive my car, make sure I can afford the premium." By creating instability in this bill and by this bill and forcing premiums up, you are going to impact on the people for whom affordability is a major issue in this province.

I would suggest that the NDP government has no idea of what the costing of all of the measures contained in Bill 164 will be. They've not released any actuarial studies showing what the effect of these measures will be on premiums. All we know is that they say that premiums won't go up, but they haven't released any studies backing up their case.

The member opposite refers to the Mercer report. I have it here in front of me. I have read that report and I can tell you that that report does not say premiums will not go up; this report does not back up your claim that premiums will not go up. If that's what you're telling people, then I would suggest that you read the Mercer report, because that report does not say what you are saying.

While the NDP has touted its plan to allow premiums to be set without unfair discrimination or rating or availability, all of that will be done by regulation, and that is creating tremendous uncertainty in the industry. I say to you again, that will result in increased premiums, and as far as my constituents in the riding of Oriole and I believe the people of the province of Ontario are concerned, at a time when you're busy increasing taxes, when the economy is in recession, the last thing they need is an increase in auto insurance premiums that could be avoided if you would not proceed with Bill 164.

I would say that unfortunately the bill provides for penalties for insurance companies such that they won't want to invest in this province. Because of the withdrawal provisions, which are very technical, I believe the effect is going to cost jobs. Every day in my constituency office people come in and say, "Elinor, I'm worried that I'm not going to have my job tomorrow." They say to me, "The most important thing on our minds is job creation and job security." The NDP policies, they tell me, are forcing businesses out of business in Ontario and not encouraging businesses to come to Ontario to set themselves up here and create jobs.

Bill 164, in my opinion, will do exactly that. It will not encourage insurance companies to come to Ontario and to set up business and create jobs, but it will encourage job loss, it will encourage instability, and all of that is the

wrong message in Ontario at this particular time. We already have high taxes, we already have the labour relations law, and these have sent clear messages to the business community that Ontario is not open for business. Bill 164 is yet another nail. Bill 164 reinforces that message that Ontario is not open for business, and further, not only will it increase premiums, but it will discourage job creation in the province of Ontario.

I would close my remarks by saying that I am concerned that Bill 164 is misguided public policy. I do not believe it is in the interests of my constituents, who are concerned about premium cost and fair access to adjudication if they have an accident. I don't believe they fully realize yet the impact of the total ban on the right of those most seriously injured to sue for economic loss. That has not been fully impacted, but when it is, I believe people will be outraged that the New Democratic Party, which promised expansion, actually has further limited those most vulnerable. I believe people will see that the expansion of the right to sue for pain and suffering is in fact a betrayal, that it will not benefit the people of this province, that it may lead to clogging up of our courts and claims which will not result in higher awards for individuals and for people, only in higher premiums.

I look forward to having an opportunity to further scrutinize this bill in committee. I say to my constituents that whenever you look at a piece of legislation, what you say is, "How is this going to affect me?" People say to me, "Elinor, how is this bill going to affect me?" My message to them: What Bill 164, in its present format, is going to do for you, my constituents in Oriole and people across the province of Ontario, is result in higher premiums with fewer premium dollars going to accident victims. It will also result in job loss and instability in the business climate of this province and will further deteriorate the kind of stability and confidence we need to lead ourselves out of this recession.

I ask the New Democratic government to think about this very clearly, and over the course of the public hearings that will follow, to consider the kind of amendments that will in fact say that this bill is not required. I actually ask you to consider delaying this bill, not passing the bill, and waiting until we've had more experience with OMPP so that we can see what kind of amendments will be in the public interest in the future. I believe that's in the interest of my constituents in the riding of Oriole. I believe delay of this bill is in the interest of the people of the province of Ontario. I believe this is misguided policy. It is my hope that the New Democratic Party and Premier Bob Rae will consider stopping the progress of this bill.

The Deputy Speaker: Being 6 of the clock, this House stands adjourned until 1:30 of the clock tomorrow afternoon.

The House adjourned at 1801.

**LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor/Lieutenant-gouverneur: Lt Col The Hon/L'hon Henry N. R. Jackman CM, KStJ, BA, LLB, LLD

Speaker/Président: Hon/L'hon David Warner

Clerk/Greffier: Claude L. DesRosiers

**Clerk Assistant and Clerk of Committees/Greffier adjoint et Greffier des comités: Smirle Forsyth
Clerk Assistant and Clerk of Journals/Greffier adjoint et Greffier des journaux: Alex D. McFedries**

Sergeant at Arms/Sergent d'armes: Thomas Stelling

Constituency	Name of member	Party	Other responsibilities
Algoma	Wildman, Hon/L'hon Bud	ND	Minister of Natural Resources, minister responsible for native affairs/ministre des Richesses naturelles, ministre délégué aux Affaires autochtones
Algoma-Manitoulin	Brown, Michael A.	L	Chair, standing committee on general government/ Président du Comité permanent des affaires gouvernementales
Beaches-Woodbine	Lankin, Hon/L'hon Frances	ND	Minister of Health, minister responsible for the substance abuse strategy/ministre de la Santé, ministre responsable de la Stratégie de prévention de la toxicomanie
Brampton North/-Nord	McClelland, Carman	L	Vice-Chair, standing committee on general government/ Vice-Président du Comité permanent des affaires gouvernementales
Brampton South/-Sud	Callahan, Robert V.	L	
Brant-Haldimand	Eddy, Ron	L	
Brantford	Ward, Brad	ND	parliamentary assistant to Minister of Industry, Trade and Technology/adjoint parlementaire du ministre de l'Industrie, du Commerce et de la Technologie
Bruce	Elston, Murray J.	L	opposition House leader/ chef parlementaire de l'opposition
Burlington South/-Sud	Jackson, Cameron	PC	Chair, standing committee on estimates/ Président du Comité permanent des budgets des dépenses
Cambridge	Farnan, Mike	ND	Vice-Chair, standing committee on the Legislative Assembly/ Vice-Président du Comité permanent de l'Assemblée législative
Carleton	Sterling, Norman W.	PC	
Carleton East/-Est	Morin, Gilles E.	L	Deputy Speaker and Chair of the Committee of the Whole House/ Vice-Président et Président du Comité plénier de l'Assemblée législative
Chatham-Kent	Hope, Randy R.	ND	parliamentary assistant to Minister of Community and Social Services/adjoint parlementaire du ministre des Services sociaux et communautaires
Cochrane North/-Nord	Wood, Len	ND	parliamentary assistant to Minister of Natural Resources/ adjoint parlementaire du ministre des Richesses naturelles
Cochrane South/-Sud	Bisson, Gilles	ND	parliamentary assistant to Minister of Northern Development and Mines, parliamentary assistant to minister responsible for francophone affairs/adjoint parlementaire de la ministre du Développement du Nord et des Mines, adjoint parlementaire du ministre délégué aux Affaires francophones
Cornwall	Cleary, John C.	L	
Don Mills	Ward, Margery	ND	parliamentary assistant to Minister of Government Services/ adjointe parlementaire du ministre des Services gouvernementaux
Dovercourt	Silipo, Hon/L'hon Tony	ND	Minister of Education/ministre de l'Éducation
Downsview	Perruzza, Anthony	ND	parliamentary assistant to minister responsible for the greater Toronto area/adjoint parlementaire de la ministre responsable du Bureau de la région du grand Toronto
Dufferin-Peel	Tilson, David	PC	
Durham Centre/-Centre	White, Drummond	ND	Chair, standing committee on regulations and private bills/ Président du Comité permanent des règlements et des projets de loi privés
Durham East/-Est	Mills, Gord	ND	parliamentary assistant to Minister of Municipal Affairs/ adjoint parlementaire du ministre des Affaires municipales
Durham West/-Ouest	Wiseman, Jim	ND	parliamentary assistant to Minister of Revenue/ adjoint parlementaire de la ministre du Revenu
Durham-York	O'Connor, Lawrence	ND	parliamentary assistant to minister responsible for the substance abuse strategy/adjoint parlementaire de la ministre responsable de la Stratégie de prévention de la toxicomanie
Eglinton	Poole, Dianne	L	
Elgin	North, Hon/L'hon Peter	ND	Minister of Tourism and Recreation/ ministre du Tourisme et des Loisirs
Essex-Kent	Hayes, Pat	ND	parliamentary assistant to Minister of Agriculture and Food/ adjoint parlementaire du ministre de l'Agriculture et de l'Alimentation
Essex South/-Sud	Mancini, Remo	L	Chair, standing committee on public accounts/ Président du Comité permanent des comptes publics

Constituency	Name of member	Party	Other responsibilities
Etobicoke-Lakeshore	Grier, Hon/L'hon Ruth A.	ND	Minister of the Environment, minister responsible for the greater Toronto area/ministre de l'Environnement, ministre responsable du Bureau de la région du grand Toronto
Etobicoke-Humber	Henderson, D. James	L	
Etobicoke-Rexdale	Philip, Hon/L'hon Ed	ND	Minister of Industry, Trade and Technology/ ministre de l'Industrie, du Commerce et de la Technologie
Etobicoke West/-Ouest	Stockwell, Chris	PC	
Fort William	McLeod, Lyn	L	Leader of the Opposition/chef de l'opposition
Fort York	Marchese, Rosario	ND	parliamentary assistant to the Premier, parliamentary assistant to Minister of Intergovernmental Affairs/adjoint parlementaire du premier ministre, adjoint parlementaire du ministre des Affaires intergouvernementales
Frontenac-Addington	Wilson, Hon/L'hon Fred	ND	Minister of Government Services/ ministre des Services gouvernementaux
Grey	Murdoch, Bill	PC	
Guelph	Fletcher, Derek	ND	parliamentary assistant to Minister of Consumer and Commercial Relations/adjoint parlementaire de la ministre de la Consommation et du Commerce
Halton Centre/-Centre	Sullivan, Barbara	L	
Halton North/-Nord	Duignan, Noel	ND	Chair, standing committee on the Legislative Assembly/ Président du Comité permanent de l'Assemblée législative
Hamilton Centre/-Centre	Christopherson, Hon/L'hon David	ND	Minister of Correctional Services/ministre des Services correctionnels
Hamilton East/-Est	Mackenzie, Hon/L'hon Bob	ND	Minister of Labour/ministre du Travail
Hamilton Mountain	Charlton, Hon/L'hon Brian	ND	Minister of Financial Institutions, Minister of Energy/ ministre des Institutions financières, ministre de l'Énergie
Hamilton West/-Ouest	Allen, Hon/L'hon Richard	ND	Minister of Colleges and Universities, Minister of Skills Development/ministre des Collèges et Universités, ministre de la Formation professionnelle
Hastings-Peterborough	Buchanan, Hon/L'hon Elmer	ND	Minister of Agriculture and Food/ ministre de l'Agriculture et de l'Alimentation
High Park-Swansea	Ziemba, Hon/L'hon Elaine	ND	Minister of Citizenship, minister responsible for human rights, disability issues, seniors' issues and race relations/ministre des Affaires civiques, ministre déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales
Huron	Klopp, Paul	ND	parliamentary assistant to Minister of Agriculture and Food/ adjoint parlementaire du ministre de l'Agriculture et de l'Alimentation
Kenora	Miclash, Frank	L	opposition deputy whip/whip adjoint de l'opposition
Kingston and The Islands/ Kingston et Les Îles	Wilson, Gary	ND	parliamentary assistant to Minister for Skills Development/ adjoint parlementaire du ministre de la Formation professionnelle
Kitchener	Ferguson, Will	ND	parliamentary assistant to Minister of Transportation/ adjoint parlementaire du ministre des Transports
Kitchener-Wilmot	Cooper, Mike	ND	parliamentary assistant to the Solicitor General; deputy government whip; Chair, standing committee on administration of justice/ adjoint parlementaire du Solliciteur général, whip adjoint du gouvernement, Président du Comité permanent de l'administration de la justice
Lake Nipigon/Lac-Nipigon	Pouliot, Hon/L'hon Gilles	ND	Minister of Transportation, minister responsible for francophone affairs/ministre des Transports, ministre délégué aux Affaires francophones
Lambton	MacKinnon, Ellen	ND	Vice-Chair, standing committee on regulations and private bills/ Vice-Présidente du Comité permanent des règlements et des projets de loi privés
Lanark-Renfrew	Jordan, W. Leo	PC	
Lawrence	Cordiano, Joseph	L	Vice-Chair, standing committee on public accounts/ Vice-Président du Comité permanent des comptes publics
Leeds-Grenville	Runciman, Robert W.	PC	Chair, standing committee on government agencies/ Président du Comité permanent des organismes gouvernementaux
Lincoln	Hansen, Ron	ND	Chair, standing committee on finance and economic affairs/ Président du Comité permanent des finances et des affaires économiques
London Centre/-Centre	Boyd, Hon/L'hon Marion	ND	Minister of Community and Social Services, minister responsible for women's issues/ministre des Services sociaux et communautaires, ministre déléguée à la Condition féminine
London North/-Nord	Cunningham, Dianne	PC	Progressive Conservative chief whip/ whip en chef du Parti progressiste-conservateur
London South/-Sud	Winninger, David	ND	parliamentary assistant to the Attorney General, parliamentary assistant to minister responsible for native affairs/ adjoint parlementaire du Procureur général, adjoint parlementaire du ministre délégué aux Affaires autochtones

Constituency	Name of member	Party	Other responsibilities
Markham	Cousens, W. Donald	PC	Progressive Conservative deputy House leader/ chef parlementaire adjoint du Parti progressiste-conservateur parliamentary assistant to Minister of the Environment/ adjointe parlementaire de la ministre de l'Environnement
Middlesex	Mathysen, Irène	ND	
Mississauga East/-Est	Sola, John	L	
Mississauga North/-Nord	Offer, Steven	L	Vice-Chair, standing committee on estimates/ Vice-Présidente du Comité permanent des budgets des dépenses
Mississauga South/-Sud	Marland, Margaret	PC	
Mississauga West/-Ouest	Mahoney, Steven W.	L	
Muskoka-Georgian Bay	Waters, Daniel	ND	opposition chief whip/whip en chef de l'opposition parliamentary assistant to Minister of Tourism and Recreation/ adjoint parlementaire du ministre du Tourisme et des Loisirs
Nepean	Daigeler, Hans	L	Vice-Chair, standing committee on social development/ Vice-Président du Comité permanent des affaires sociales
Niagara Falls	Harrington, Margaret H.	ND	parliamentary assistant to Minister of Housing/ adjointe parlementaire de la ministre du Logement
Niagara South/-Sud	Coppen, Hon/L'hon Shirley	ND	Minister without Portfolio, chief government whip/ ministre sans portefeuille, whip en chef du gouvernement
Nickel Belt	Laughren, Hon/L'hon Floyd	ND	Deputy Premier, Treasurer of Ontario and Minister of Economics/ vice-premier ministre, Trésorier de l'Ontario et ministre de l'Économie
Nipissing	Harris, Michael	PC	leader of the Progressive Conservative Party/ chef du Parti progressiste-conservateur
Norfolk	Jamison, Norm	ND	parliamentary assistant to Minister of Industry, Trade and Technology/du ministre de l'Industrie, du Commerce et de la Technologie
Northumberland	Fawcett, Joan M.	L	Solicitor General/Solliciteur général Minister of Housing/ministre du Logement
Oakville South/-Sud	Carr, Gary	PC	
Oakwood	Rizzo, Tony	ND	
Oriole	Caplan, Elinor	L	
Oshawa	Pilkey, Hon/L'hon Allan	ND	
Ottawa Centre/-Centre	Gigantes, Hon/L'hon Evelyn	ND	
Ottawa East/-Est	Grandmaître, Bernard C.	L	
Ottawa-Rideau	O'Neill, Yvonne	L	
Ottawa South/-Sud	McGuinty, Dalton J.P.	L	
Ottawa West/-Ouest	Chiarelli, Robert	L	
Oxford	Sutherland, Kimble	ND	
Parkdale	Ruprecht, Tony	L	
Parry Sound	Eves, Ernie	PC	
Perth	Haslam, Hon/L'hon Karen	ND	Progressive Conservative House leader/ chef parlementaire du Parti progressiste-conservateur
Peterborough	Carter, Jenny	ND	Minister of Culture and Communications/ ministre de la Culture et des Communications
Port Arthur	Wark-Martyn, Hon/L'hon Shelley	ND	parliamentary assistant to Minister of Citizenship/ adjointe parlementaire de la ministre des Affaires civiles
Prescott and Russell/ Prescott et Russell	Poirier, Jean	L	Minister of Revenue/ministre du Revenu
Prince Edward-Lennox-South Hastings/ Prince-Edward- Lennox-Hastings-Sud	Johnson, Paul R.	ND	parliamentary assistant to the Treasurer of Ontario and Minister of Economics/adjoint parlementaire du Trésorier de l'Ontario et du ministre de l'Économie
Quinte	O'Neil, Hugh P.	L	Attorney General/Procureur général Deputy Leader of the Opposition/chef adjoint de l'opposition
Rainy River	Hampton, Hon/L'hon Howard	ND	
Renfrew North/-Nord	Conway, Sean G.	L	
Riverdale	Churley, Hon/L'hon Marilyn	ND	
S-D-G & East Grenville/ S.-D.-G. & Grenville-Est	Villeneuve, Noble	PC	Minister of Consumer and Commercial Relations/ ministre de la Consommation et du Commerce
St Andrew-St Patrick	Akande, Zanana	ND	Second Deputy Chair of the Committee of the Whole House/ Deuxième Vice-Président du Comité plénier de l'Assemblée législative
St Catharines	Bradley, James J.	L	parliamentary assistant to the Premier/adjoint parlementaire du premier ministre
St. Catharines-Brock	Haeck, Christel	ND	opposition deputy House leader/chef parlementaire de l'opposition government whip; Vice-Chair, standing committee on the Ombudsman/ whip du gouvernement, Vice-Présidente du Comité permanent de l'ombudsman
St. George-St. David	Vacant		

Constituency	Name of member	Party	Other responsibilities
Sarnia	Huget, Bob	ND	parliamentary assistant to Minister of Energy; Vice-Chair, standing committee on resources development/ adjoint parlementaire du ministre de l'Énergie, Vice-Président du Comité permanent du développement des ressources
Sault Ste Marie/ Sault-Sainte-Marie	Martin, Tony	ND	parliamentary assistant to Minister of Education/ adjoint parlementaire du ministre de l'Éducation
Scarborough-Agincourt	Phillips, Gerry	L	
Scarborough Centre/-Centre	Owens, Stephen	ND	parliamentary assistant to Minister of Financial Institutions/ adjoint parlementaire du ministre des Institutions financières
Scarborough East/-Est	Frankford, Robert	ND	
Scarborough-Ellesmere	Warner, Hon/L'hon David	ND	Speaker/Président
Scarborough North/-Nord	Curling, Alvin	L	opposition deputy whip/whip adjoint de l'opposition
Scarborough West/-Ouest	Swarbrick, Anne	ND	
Simcoe Centre/-Centre	Wessenger, Paul	ND	parliamentary assistant to Minister of Health/ adjoint parlementaire de la ministre de la Santé
Simcoe East/-Est	McLean, Allan K.	PC	Vice-Chair, standing committee on government agencies/ Vice-Président du Comité permanent des organismes gouvernementaux
Simcoe West/-Ouest	Wilson, Jim	PC	
Sudbury	Murdock, Sharon	ND	parliamentary assistant to Minister of Labour/ adjointe parlementaire du ministre du Travail
Sudbury East/-Est	Martel, Hon/L'hon Shelley	ND	Minister of Northern Development and Mines/ ministre du Développement du Nord et des Mines
Timiskaming	Ramsay, David	L	
Victoria-Haliburton	Drainville, Dennis	ND	First Deputy Chair of the Committee of the Whole House/ Premier Vice-Président du Comité plénier de l'Assemblée législative
Waterloo North/-Nord	Witmer, Elizabeth	PC	
Welland-Thorold	Kormos, Peter	ND	Chair, standing committee on resources development/ Président du Comité permanent du développement des ressources
Wellington	Arnott, Ted	PC	
Wentworth East/-Est	Morrow, Mark	ND	Chair, standing committee on the Ombudsman; Vice-Chair, standing committee on administration of justice/ Président du Comité permanent de l'ombudsman, Vice-Président du Comité permanent de l'administration de la justice
Wentworth North/-Nord	Abel, Donald	ND	government whip/whip du gouvernement
Willowdale	Harnick, Charles	PC	
Wilson Heights	Kwinter, Monte	L	
Windsor-Riverside	Cooke, Hon/L'hon David	ND	Minister of Municipal Affairs, Chair of the Management Board of Cabinet and government House leader/ministre des Affaires municipales, président du Conseil de gestion du gouvernement, et chef parlementaire du gouvernement
Windsor-Sandwich	Dadamo, George	ND	parliamentary assistant to Minister of Culture and Communications/ adjoint parlementaire de la ministre de la Culture et des Communications
Windsor-Walkerville	Lessard, Wayne	ND	parliamentary assistant to Chair of the Management Board of Cabinet/adjoint parlementaire du président du Conseil de gestion du gouvernement
York Centre/-Centre	Sorbara, Gregory S.	L	
York East/-Est	Malkowski, Gary	ND	parliamentary assistant to Minister of Citizenship/ adjoint parlementaire de la ministre des Affaires civiques
York Mills	Turnbull, David	PC	Progressive Conservative whip/whip du Parti progressiste- conservateur
York North/-Nord	Beer, Charles	L	Chair, standing committee on social development/ Président du Comité permanent des affaires sociales
York South/-Sud	Rae, Hon/L'hon Bob	ND	Premier, President of the Executive Council, Minister of Intergovernmental Affairs/premier ministre, président du Conseil des ministres, ministre des Affaires gouvernementales
Yorkview	Mammoliti, George	ND	parliamentary assistant to Minister of Correctional Services/ adjoint parlementaire du ministre des Services correctionnels

**COMMITTEES OF THE LEGISLATIVE ASSEMBLY
COMITÉS DE L'ASSEMBLÉE LÉGISLATIVE**

STANDING COMMITTEES/COMITÉS PERMANENTS

Administration of justice/Administration de la justice

Chair/Président: Mike Cooper
Vice-Chair/Vice-Président: Mark Morrow
Members/Membres: Zanana Akande, Jenny Carter, Robert Chiarelli,
Mike Cooper, Alvin Curling, Charles Harnick, Steven W. Mahoney,
Gary Malkowski, Mark Morrow, Robert W. Runciman,
Paul Wessinger, David Winninger
Clerk/Greffière: Lisa Freedman

Estimates/Budgets des dépenses

Chair/Président: Cameron Jackson
Vice-Chair/Vice-Présidente: Margaret Marland
Members/Membres: Gilles Bisson, Gary Carr, Ron Eddy, Will Ferguson,
Robert Frankford, Wayne Lessard, Lawrence O'Connor, Anthony
Perruzza, David Ramsay
Clerk/Greffier: Franco Carrozza

**Finance and economic affairs/
Finances et affaires économiques**

Chair/Président: Ron Hansen
Vice-Chair/Vice-Président: Kimble Sutherland
Members/Membres: Elinor Caplan, Gary Carr, Norm Jamison,
Monte Kwinter, Gerry Phillips, Norman W. Sterling, Brad Ward,
Margery Ward, Jim Wiseman
Clerk/Greffier: Todd Decker

General government/Affaires gouvernementales

Chair/Président: Michael A. Brown
Vice-Chair/Vice-Président: Carman McClelland
Members/Membres: Ted Arnott, Will Ferguson, Derek Fletcher,
Margaret H. Harrington, Randy R. Hope, George Mammoliti, Rosario
Marchese, Bill Murdoch, Dianne Poole, John Sola
Clerk/Greffière: Deborah Deller

Government agencies/Organismes gouvernementaux

Chair/Président: Robert W. Runciman
Vice-Chair/Vice-Président: Allan K. McLean
Members/Membres: James J. Bradley, Jenny Carter, John C. Cleary,
Will Ferguson, Robert Frankford, Bernard C. Grandmaître, Rosario
Marchese, Chris Stockwell, Daniel Waters, Jim Wiseman
Clerk/Greffier: Douglas Arnott

Legislative Assembly/Assemblée législative

Chair/Président: Noel Duignan
Vice-Chair/Vice-Président: Mike Farnan
Members/Membres: Mike Cooper, Paul R. Johnson, Margaret Marland,
Irene Mathyssen, Carman McClelland, Gord Mills, Gilles E. Morin,
Stephen Owens, Barbara Sullivan, Noble Villeneuve
Clerk/Greffier: Douglas Arnott

Ombudsman/Ombudsman

Chair/Président: Mark Morrow
Vice-Chair/Vice-Présidente: Christel Haeck
Members/Membres: Zanana Akande, Dennis Drainville, Noel Duignan,
D. James Henderson, Paul R. Johnson, Frank Miclash, Bill Murdoch,
Anthony Perruzza, David Ramsay, Elizabeth Witmer
Clerk/Greffier: Franco Carrozza

Public accounts/Comptes publics

Chair/Président: Remo Mancini
Vice-Chair/Vice-Président: Joseph Cordiano
Members/Membres: Robert V. Callahan, W. Donald Cousens, Noel
Duignan, Robert Frankford, Christel Haeck, Pat Hayes, Paul R. Johnson,
Lawrence O'Connor, David Tilson
Clerk/Greffière: Tannis Manikel

**Regulations and private bills/
Règlements et projets de loi privés**

Chair/Président: Drummond White
Vice-Chair/Vice-Présidente: Ellen MacKinnon
Members/Membres: George Dadamo, Ron Eddy, Mike Farnan,
Ron Hansen, W. Leo Jordan, Gord Mills, Tony Ruprecht, John Sola,
Kimble Sutherland, Jim Wilson
Clerk/Greffier: Todd Decker

Resources development/Développement des ressources

Chair/Président: Peter Kormos
Vice-Chair/Vice-Président: Bob Huget
Members/Membres: Sean G. Conway, George Dadamo, W. Leo Jordan,
Paul Klopp, Dalton J.P. McGuinty, Sharon Murdock, Steven Offer,
David Turnbull, Daniel Waters, Len Wood
Clerk pro tem/Greffier par intérim: Todd Decker

Social development/Affaires sociales

Chair/Président: Charles Beer
Vice-Chair/Vice-Président: Hans Daigeler
Members/Membres: Dennis Drainville, Joan M. Fawcett, Tony Martin,
Irene Mathyssen, Yvonne O'Neill, Stephen Owens, Drummond White,
Gary Wilson, Jim Wilson, Elizabeth Witmer
Clerk/Greffière: Lynn Mellor

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Assemblée législative de l'Ontario

Deuxième session, 35^e législature

Official Report of Debates (Hansard)

Tuesday 6 October 1992

Journal des débats (Hansard)

Mardi 6 octobre 1992



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 6 October 1992

The House met at 1332.

Prayers.

MEMBERS' STATEMENTS

SERVICES FOR THE DEVELOPMENTALLY DISABLED

Mr Charles Beer (York North): My message is for the Minister of Community and Social Services. Minister, your decision to terminate what is known as the triministry program funding on April 1 of next year is causing tremendous concern in the province. In particular, the region of York and Simcoe county will be hardest hit. Almost half of all provincial funds go into those two areas.

The triministry program provides services to children and adults with developmental handicaps. The ministries of Health, Education and Community and Social Services are the three ministries involved. The allocation to York region of \$1.3 million provides residential, day, speech, seating clinics and leisure programs, and case management.

I have received strong representations from the York Support Services Network, the Newmarket and District Association for Community Living and the Georgina Association for Community Living asking that the minister involve herself directly to ensure that these funds are not cut.

The impact on the Newmarket association, for example, would be dramatic. The association would experience an 8% to 11% cut which would remove between \$320,000 to \$440,000 from its budget. This association provides services to some 283 individuals, employs some 157 staff and has a \$4-million budget.

The bottom line is that there are no other options and people are going to suffer directly by this triministry cut. Their quality of life, self-esteem and sense of worth in the community will suffer severe damage.

Minister, on behalf of all those who will be directly affected, I ask you to review your ministry's priorities and restore the triministry funding.

INTERIM WASTE AUTHORITY SPENDING

Mr David Tilson (Dufferin-Peel): I would like to bring to the attention of the House a waste of taxpayers' money that is currently going on within the region of Peel and specifically the town of Caledon. The Interim Waste Authority has been looking for a potential dump site to hold Peel's garbage only since June 3 and as of this date it has already spent some \$5 million. Just so we can have some concept of how much money that is, that works out to the Interim Waste Authority spending more than \$1 million a month to find a dump site in Peel.

I am not an audit accountant, but I've spent some time watching the Interim Waste Authority and over the last four months it has set up an office in Bolton, has manned phones to answer questions and concerns the public has regarding its selection process, and there are many, and has

held a few public information sessions in order to try to educate the public on how its site-selection process works.

I can't imagine where the \$5 million was spent, but of more concern to me is the fact that the general manager of the IWA said it would cost much more before a site is actually chosen.

How much more money are the taxpayers of Ontario going to be asked to contribute to a flawed process that doesn't seem to have any concern for the bottom line? There's a black hole of taxpayers' money and there seems to be no limit as to how much pain and frustration they are going to cause the residents of Caledon, where they hold their lives in limbo waiting for a decision on this issue.

EVENTS IN LINCOLN

Mr Ron Hansen (Lincoln): I rise today to inform the House of a four-day event in my riding of Lincoln that begins this Friday, October 9, and runs until Monday, October 12. The event is the Annual Thanksgiving Craft Show and Sale at Balls Falls Historical Park and Conservation Area in Jordan. The event is hosted by the Niagara Peninsula Conservation Authority and will feature 120 talented exhibitors who will display and sell fine handcrafted items.

Besides the exhibits, visitors can stroll through one of the most beautiful parks in Ontario and experience the autumn colours while learning about the historical significance that the Niagara area played in shaping Ontario.

This is the 17th year for the festival, which started as a two-day event and has grown into a four-day event because of its popularity. At the first Thanksgiving Day festival, less than 1,000 people attended. Since that time it has grown into an annual event which attracts over 30,000 visitors from near and far.

As well, many of the people who travel to the Thanksgiving Day festival take the opportunity to visit many of the Niagara wineries that are located within a couple of miles of Balls Falls.

I encourage all members and their constituents to come down and enjoy some freshly pressed apple cider and a day they will not forget. I will be there with my family this weekend.

DAVID AGNEW

Mr Hans Daigeler (Nepean): Few actions so far have revealed more clearly Bob Rae's true agenda than his pernicious appointment of NDP campaign director David Agnew as head of Ontario's civil service. It shows all too painfully how far he and his government will go to have all Ontarians march to the tune of NDP doctrine.

Agnew's appointment is a shameless case of political interference and infiltration. It's unprecedented, at least in recent Canadian political history, and totally contrary to the proud standards of our non-partisan civil service. It's American political patronage at its worst.

So far the media have been quite mute in their criticisms of this outrageous act, but I will not let it pass

unnoticed. At every opportunity during this session, inside this House and elsewhere, I will remind Ontarians how far Bob Rae's attempt has gone already to control our minds.

The name David Agnew will become synonymous with NDP thought control. It's a very bad omen indeed for this session and for the rest of Bob Rae's mandate that the Premier has chosen to politicize the civil service at the highest level.

1340

MINISTERIAL RESPONSE

Mrs Margaret Marland (Mississauga South): Last week I finally received a response from the Minister of Education to a letter I wrote 10 months ago about an episode on the TVOntario program *Imprint*.

The episode, called "Not Tonight, Dear, I Have a Book," which aired at 9:30 pm, concerned sex in contemporary literature. It included a reading of a passage which graphically depicted homosexual relations.

Ontarians trust TVO, our province's public educational broadcasting authority, to provide programming that is appropriate for family viewing. At 9:30, many young people are still watching television. A program with this content is not what parents want their children to view. I therefore wrote to the Minister of Culture and Communications, the Minister of Education and officials at TVO on behalf of persons who contacted me about this episode, which they found to be "unacceptable for unsolicited living room viewing."

While I received an adequate response from both TVO and the Minister of Culture and Communications, the Minister of Education would only say, "I trust that the rationale provided by TVOntario in its responses has addressed the concerns expressed by" the persons who contacted me.

I wrote to the Minister of Education because I wanted his views on this type of programming during prime time in our province's educational TV station. After 10 months, surely the minister could have addressed the issue, rather than providing me with this copout of a response.

DELTA AIRLINES

Mr Kimble Sutherland (Oxford): Last Thursday evening, as I was driving back to my riding, I was listening to the CBC radio program *As It Happens*. I was appalled as I listened to a discussion about Delta Airlines' policy regarding its flight attendants' weight requirements. If a flight attendant is considered overweight for his or her height, they are subject to disciplinary action, including suspensions from their jobs.

A spokesperson for a group of Delta Airlines flight attendants, who are launching a class action suit against the airline, outlined the terrible impact this approach can have on people. In one situation a flight attendant, who had been a long-time employee for an airline Delta Airlines purchased, was given three months to lose 26 pounds. The flight attendant attempted to lose the weight through obsessive dieting and exercise. Only a few days before the weight-loss deadline, the woman suffered a heart attack.

A Delta Airlines spokesperson defended the policy by saying that flight attendants must be "professional." It's

worth noting, though, that only flight attendants, not all Delta Airlines employees, are subject to this demeaning practice.

I find it reprehensible and abhorrent that in the 1990s companies, and particularly some airlines, still have such an outdated attitude towards people's appearance, and in particular, their weight. I encourage everyone in Ontario to find out if the airline they are booking a flight on has such discriminatory policies, and if they do, to boycott airlines with such a Neanderthal approach to employee relations.

LIONS CLUB OF MISSISSAUGA

Mr Steven W. Mahoney (Mississauga West): In a bit of good news, I'd like to tell you about the Lions Club of Mississauga, District A-11, which is celebrating the 75th anniversary of the foundation of Lionism by presenting the play *The Miracle Worker*, in association with Mr Rick Torres and Canadian Spectrum, which is a multicultural television organization working out of Mississauga.

Performances of this play, based on the life of Helen Keller, are running from October 5 to 11 at the Meadowvale Theatre in Mississauga. It's particularly significant that it would be based on Helen Keller, since the Lions clubs in this country do an awful lot of work—don't worry; I'm not worried if they're not listening.

The Speaker (Hon David Warner): Would the member take his seat for a moment. There are a number of private conversations in the chamber and it would be appreciated if we could have some quiet so the member recognized could have an opportunity to make his statement. I would ask the Clerk to reset the clock and the member is invited to begin over, if he wishes.

Mr Mahoney: That's good. Thank you very much, Mr Speaker.

The Lions Club in Mississauga—as I was saying, the members may not be interested, but if they have Lions clubs in their communities I'm sure they would be, would like to know that the international president of Lions was here, was indeed in Mississauga at a presentation—is celebrating its 75th anniversary of Lionism.

I happen to know from firsthand experience the tremendous work the Lions Club does with the sight-impaired. My mother actually is blind and the Lions Club has been helpful in helping her get out into the community whenever it could, and we really appreciate that kind of assistance and the great contribution it makes.

To celebrate the 75th anniversary, they are putting on and sponsoring the play *The Miracle Worker*, which is based, as I said before I was interrupted, on the life of Helen Keller, a life that obviously makes a great statement about folks who are sight-impaired.

On September 28 I had the honour of attending a reception with Mr Rohit Mehta, the international president of Lions clubs, who had come from India to Canada to help celebrate this very special anniversary.

I want to congratulate some of members, notably Mr Louis Lawrence, Sean Russel, Wayne Chambers, Don Stevely and Bob Emond, along with all members of the Mississauga Lions Club and indeed the international Lions throughout the world.

JACK ACKROYD

Mr Robert W. Runciman (Leeds-Grenville): Members will know that former Metro Toronto Police Chief Jack Ackroyd passed away last week. On behalf of all members of my party I want to express sincere condolences to Jack's family, his wife Lyn, their five children and two grandchildren.

Jack Ackroyd served as Metro's police chief from 1980-84 before leaving to head the Liquor Control Board of Ontario for six years. Known affectionately as Kojak, Mr Ackroyd was known for instituting a new era of policing in Metro. Specifically, he introduced community-based policing in the 1970s and commanded the respect of not only his officers but the residents of Metro as well.

Jack Ackroyd was known for his humane approach and he established an open-door policy when he served as chief of police. He has been described as a giant among men and the greatest cop Metro ever had. Jack Ackroyd joined the Metro police as a cadet in 1941 and served his community in a distinguished career that spanned 43 years.

Jack Ackroyd set an example that continues to be the goal of Metro's men and women in blue. While he will be sadly missed by us all, there is comfort in knowing that his style and professional manner will be with us for many years to come.

CASINOS

Mr Dennis Drainville (Victoria-Haliburton): I rise in the House today to denounce the proposed pilot casino project in Windsor, Ontario. I'd like to make it very clear that, as I've said in the House before, I have strong commitment for most of the policies of my government but there are certain policies I believe that conscience dictates one must stand up against. There's no question that casino gambling is one of those.

I was sent many letters recently in my fight on casino gambling and I will read part of one that comes from a person in Windsor, Arlene Rousseau, who writes: "I am a New Democrat and stand in opposition to casino gambling. My opposition is based not on religion or morality, but one of great concern for this province and its future, as my children will have to live with the legacies that we leave behind."

There's no question in my mind that to continue in this direction is not only going to bring this province into disrepute, but we're going to have more and more social problems. Yes, we need tax revenue in the province, but we cannot accept that tax revenue if we don't see the social problems that will be accruing because of such a decision.

I think that this pilot project is the thin edge of the wedge. It's a way of beginning a movement in this province to establish more and greater casinos. We must not allow it to happen and I would ask members of all parties to agree with that.

1350

MEMBERS' CONDUCT

The Speaker (Hon David Warner): Yesterday the honourable member for Leeds-Grenville, Mr Runciman, raised a point of order regarding the wearing of buttons

expressing a particular political point of view in the House. In his argumentation he mentioned that it's our practice not to allow displays, and in the case at hand he alleged that the wearing of buttons could, through television coverage, influence the public in its decision.

I have considered these points seriously and, although I agree with the honourable member that it is our practice to discourage displays of any kind in the House, the wearing of buttons with a particular message is a difficult one for the Speaker to control. Members, I am sure, are aware of the proliferation of buttons in recent years expressing all kinds of opinions which, I am sure, all members are not always in agreement with.

The wearing of buttons has never been challenged in this House, and I might say that it has become an accepted practice. Therefore, although I am sympathetic to the point raised by the honourable member, there's not much I can do in this regard rather than add this consideration to the ones I have already referred to the standing committee on the Legislative Assembly for its opinion.

SMIRLE FORSYTH

The Speaker (Hon David Warner): I regret to inform the House that a long-time officer of our House has resigned, and I know that members from all sides may wish to have a few words to say. With your indulgence, I would like to just offer a few comments and observations myself, and if others wish to have something to say I would be delighted to allow that opportunity.

Mr Smirle Forsyth has served this chamber with distinction for 14 years, if I could be permitted to refer to him as Smirle, because I think that's the name that all of us who knew him well knew him by.

Smirle is a person who has a very deep love of Parliament, of parliamentary democracy. Rarely have I ever seen a person so devoted to serving the House as a House of Assembly, with no particular consideration for any party but rather to the higher objective of a parliament.

Smirle always sought perfection in everything he did and he achieved it. He was a man who, while here, worked tirelessly, endlessly, always in the pursuit of the very best that this Parliament does.

Smirle, as many of us knew from work in committees, no matter what task it was that was given to him, no matter how close the deadline, would move heaven and earth to make sure that it was done. He would put in endless hours. I can tell you that if you were able to visit him at times when he wasn't feeling well, he still had his computer there and he made sure that the work that he felt he was assigned to do would get done whether he was able to be in this building or not.

I know that I speak on behalf of every member when I say that the assembly will miss Smirle. We hope to see him from time to time. We hope that he will be able to come and visit us on occasion, but I can tell you that I personally will miss the service that he has given so graciously, in such a dedicated way, for such a long period of time.

I think, finally, all of us who have known Smirle and worked with him feel that in Smirle we always had a friend—a professional, but also a friend.

Hon Floyd Laughren (Deputy Premier, Treasurer and Minister of Economics): I would like to say a few words on behalf of the government and the government caucus.

Smirle, as you indicated, was here for almost 15 years, in which he served on numerous committees as clerk and then served specifically as the clerk for the standing committee on the Legislative Assembly. In the role of clerk of the standing committee on the Legislative Assembly, he really brought this place into the 1990s: television and interpretation, the language facilities that we now have. He played a major role in that in the kind of advice he provided and the kind of perspective he had on the importance of this place and the importance that we move with the times and be able to communicate with the province at large more than we had previously.

He also found time to serve full-time at the table, as we in this place call the main clerks' table here, to provide advice and support to the Clerk of the House and also to serve as the clerk of committees, which in my language is like the chief clerk around here, next to Mr DesRosiers.

Quite frankly, it took me a while to warm up to Smirle when he first came here, but I did indeed warm up to Smirle and grew not just to respect him—everyone respected him; I grew to like him very much as well. He had a humour that was not always evident at first, but he had a humour that was both wit and humour. It could be sly, it could be clever and was invariably warm as well, so I grew to appreciate and like him very much.

As someone who chaired one of the standing committees for quite a while, I didn't always like the advice he gave me, but I always knew that it was objective and terribly professional. I certainly never challenged the advice he gave me because I knew it was based on objective reasoning and the best interests of the Legislative Assembly, its members and the public at large.

I know all of us are sad that he has felt he must resign from this place at this point. We understand that, but I do want Smirle to know that we will miss him very much and he will remain with great fondness in our memory.

Mr Murray J. Elston (Bruce): On behalf of the Liberal caucus, I guess in many ways as the Treasurer and you have said in a very warm personal way, Mr Speaker, I'd like to express our unhappiness with the fact that Smirle has felt that he must resign and acknowledge to him personally today our great sense of gratitude we owe to him for all of the guidance he gave us.

I too came in with—I didn't come in with the Treasurer; my goodness, people think the Treasurer's been here long enough. I came in in 1981, just after Smirle really started to hit full stride. He came in in 1978, myself in 1981, and when I came into the standing committee on administration of justice I felt that I had someone to whom I could go who knew what was happening, because Smirle made it his business to understand what his job was here. That allowed the members, I think, to go about their business—loosely described on some occasions—in committee in a way which allowed us to feel we would be treated fairly.

Even in those days in 1981 and following, before the rising of the new democracy in 1985, we felt that the House itself really was conducted on the basis of very sound precedents, and the materials which Smirle generated for us to talk about in committee were things which were given, freely and without exception, to every member of this Legislative Assembly no matter what party the person served with.

Smirle, as the Treasurer said, had an interesting humour. You could never question his wit: a very brilliant man, a very studious individual who I think sometimes for that very reason might have been misunderstood on occasion. I have always found Smirle, however, to be extremely approachable. Like the Treasurer, I haven't always agreed with every piece of advice that has been offered, but after having gone through the materials Smirle went through, I found that perhaps my sort of intuition on things wasn't always backed up by the precedents of this particular House.

From time to time, of course, I think all the members here tend to forget what is written and hope to perhaps rewrite in just their own way, slightly, some of the materials on which the procedures of this place are based. That, quite frankly, is why having a person of Smirle's calibre and qualities is so important to our democratic institutions, because while the mind is somewhat feeble in its recollections of the word, it is nice to know that there are officers on a non-partisan basis who know exactly where to find the precedent, who know exactly how to communicate it for our edification and who know the word "patience" with a great boundlessness as they listen to us putting our arguments even in face of some of the very good, scholarly work that is done around our precedents.

1400

That's one way of saying that perhaps we've been wrong from time to time as members when we confront the materials that are generated from the table, but to Smirle, on the occasions when you have been extremely right and we have been slightly off target, may I express my real thanks and pleasure for the fact that we knew you wouldn't bend, that you would ensure that if we were to change the way things were done we would change them by specific activity as opposed to a lazy easiness, if I can put it in those terms.

I started out, as I said, in 1981 in the standing committee on administration of justice, and spent a great deal of time there. In fact, in the early going the justice committee was full of all kinds of interesting things like implementing the roadside breathalyser, the RIDE program, Bills 179 and 111, which introduced the wage controls in those days. As you might well expect, there were some days when there were heated debates around those things. It was nice to know that when we lost our patience, Smirle was as steady and steadfast as ever.

In fact, this may be of interest to some of the members. While we can go out of committee from time to time if we get a little bored or carried away, generally the clerks who reside in those standing committees and even special committees, if not forced, at least feel some kind of moral obligation to hear the whole story so that they can keep us

all in line when we make our summation speeches. That too is something Smirle did with a great deal of resoluteness.

I know how avid a fan Smirle is of the Legislative Assembly, of the whole idea of being able to come here to this chamber, this decision-making chamber, and putting arguments, good, bad or otherwise. As a result, I'm prepared, if Smirle drops us a line and says he wishes it, to actually bind all of my old committee speeches in my early days to send for him to read again. He heard them, but there is nothing like reading some of your original speeches to really get to understand what was being said or to understand that maybe you shouldn't have said nearly so much.

Smirle, as you might well know, Mr Speaker, never told us what to say, how to say it or when to say anything, but he was there to advise us on what had already been said if we asked. For that steadiness and for that very professional approach to his business, our caucus and myself in particular wish to extend Smirle a very large thank you. I think it only fitting that we set aside a few minutes of this chamber's business to tell Smirle the things that perhaps in the heat of the moment none of us thought were appropriate to approach him with. To Smirle, our best wishes always.

Mr Ernie L. Eves (Parry Sound): As the House leader for our party, I would certainly like to rise and talk about Smirle Forsyth for a while. The first recollection I have of Smirle is when I was elected on March 19, 1981, and I was somewhat disturbed by the fact that the then Premier thought my level of competence would be Chairman of the standing committee on regulations and other statutory instruments. Perhaps he's a far smarter and more knowledgeable individual than I, and I'm sure there are many who would concur with his viewpoint to this day.

However, one of my first duties was to sit down with the clerk of the committee, who was Smirle Forsyth. We had this rather elderly, dignified counsel to the committee in those days named Duke MacTavish, and between the two of them, Duke MacTavish and Smirle Forsyth, they managed to teach me a little about procedure, tradition and the parliamentary way of life. We managed to reform that committee to include private bills and make it somewhat more stimulating than it was before, although that is very hard to do.

Some people who don't know him very well may regard Smirle Forsyth as being a rather dull individual, but I can assure you that Smirle was anything but dull. He was sometimes misunderstood, but certainly not dull. The Treasurer has alluded to some of the progress Smirle assisted in with respect to the standing committee on the Legislative Assembly, televised proceedings of this chamber and of committees, participating and assisting in bringing interpretation into committees and into the House, and reforms with respect to witnesses appearing before committees. He also served on the special committee on the parliamentary precinct. A lot of members here may not have much regard for that, but I think it displays the tradition and the feeling that Smirle has for this place.

I sought Smirle's advice, as I do other people at the clerks' table, and I think that all too often we take them for

granted. It's a very difficult job. I often sought his advice and his counsel. He always gave me unbiased, objective, knowledgeable, loyal advice.

I think Smirle was loyal to the institution and parliamentary democracy as we know it in the province of Ontario today. I find it indeed unfortunate that Smirle has decided that he can no longer continue in his current capacity. I know that during the last period of time that he did serve in this chamber and in committee, he was not feeling well at all, but like the classy individual he is, Smirle did not let that fact be known to many or any of us by his own accord.

I also gained a new appreciation for Smirle as recently as the summer of 1991, when I attended the CPA conference in Victoria, British Columbia. I saw there how well regarded Smirle Forsyth was and in what high esteem he was held by his contemporaries across this country.

Sometimes we take people who are close to us for granted, and we assume that everybody in that capacity operates in the same classy, loyal, dignified manner. Smirle Forsyth is indeed one of the premier people with respect to his profession in this great country called Canada, and Smirle leaves his employ here in the same classy, dignified manner in which he performed his duties throughout his years.

Mr Dennis Drainville (Victoria-Haliburton): As assistant Deputy Chair, I'd also like to pay tribute to Smirle Forsyth today. Thomas Jefferson once said, "When a man assumes public trust, he should consider himself as public property." Although Jefferson was addressing his comments to those in elected office, he could have equally spoken them about individuals who commit their lives and talents to public service.

There is no finer tribute to offer Smirle Forsyth than the acknowledgement in this House that he assumed his public duties as Clerk Assistant of the House with commitment, insight and total devotion. He loves the institution which is Parliament, and he showed his passion for things parliamentary by virtually living in the Legislature. Many times, late at night when the House had long before risen, I witnessed Smirle leaving his office long after the members of Parliament and other staff people had gone home. Similarly, many mornings when I needed information pertaining to a particular matter in the House, I could call at 7:30 or 8 o'clock and be assured that he would be there to answer my inquiry.

Smirle's ever-helpful, non-partisan approach never wavered even in the midst of the most impetuous of debates. No matter how contentious the issue, no matter how difficult the person trying to get his or her own way on the given procedural matter, Smirle would discuss the point with care and precision.

I am reminded of Mark Twain's famous line: "Always do right. This will gratify some and astonish the rest." Smirle, on behalf of the gratified members of the government caucus, I want to thank you profoundly for your hard work and good example. In a very real way, this House will always be your house. We will all miss you. Best wishes to you from the government caucus.

1410

Mr Gilles E. Morin (Carleton East): It is an honour for me to speak to you about a dear friend, a great co-worker and a unique person. Smirle Forsyth is all of these to me and to the many who know him and have worked with him over the years. It is therefore with sadness and regret that I know Smirle will not be able to return to work.

I have known Smirle since 1985, when I was first elected to the Legislative Assembly of Ontario. One of my earliest responsibilities was as Deputy Chair of the committee of the whole House. I was a novice. I had no experience and no knowledge of the procedures of the House. What an intimidating situation it was. Fortunately, there was Smirle. Smirle's patience and constant support gave me the confidence needed to do the job. Once a week, from 8 to 10 in the morning, we studied together the procedures of the House. He counselled me. His assistance went beyond the call of duty.

I want to recognize Smirle and, through him, the excellent work accomplished by the clerks at the table. Members of the public who watch the proceedings in the House may sometimes wonder, what do these individuals in ceremonial garb do? Basically, they are there to help the members of this House and the presiding officers.

When the Speaker rises and says, "Order," there are countless precedents, procedures and rules behind that single word. The clerks at the table are professionals. They know those precedents, procedures and rules. They are familiar with the protocol of the House. Their knowledge and advice is essential to the smooth running of the House. More importantly, they are neutral, non-partisan. They ensure the fairness and impartiality of the proceedings of the House. The respect for the House is based partly on this assumption of impartiality. So behind the word "Order" one finds a dedicated team, and Smirle was an effective member of the team.

I am a member of the standing committee on the Legislative Assembly, of which Smirle was once clerk. Smirle was meticulous, hardworking and always, always dependable. I know he spent hours preparing notes and reports. He fulfilled his professional obligations with much grace and goodwill.

Smirle has since become a good friend of my wife and myself. I very much regret that he can no longer work with us. I want him to rest assured that if it were up to us, we would have kept him on. Smirle, if you're listening, we're thinking of you. We will all miss you.

Mr W. Donald Cousens (Markham): Mr Speaker, it's hard to follow in the eloquence of all members of the House, including yourself, and the remarks that have been made in honour of one of those distinctive servants of the Legislature, Smirle Forsyth. I stand to share in this moment in which all of us—in fact, isn't it something, how in this Legislature we can be drawn together, of one accord, with one voice, when it has to do with someone who has been such a dedicated servant to the Legislature, that we can drop our partisan things and realize the depth that is within the people who are at the table and within this precinct.

I too served with Smirle as Deputy Speaker and Deputy Chair of the committee of the whole House from 1981 to 1984 or so. The late-night sessions gave us a chance, as we'd sit around the table with Alex McFedries, who's still there, and Dave Callfas, who's no longer alive, and Rod Lewis, who was then the Clerk of the House. So things go on. We have a new Clerk and new people at the table, somehow carrying on a tradition of service to all members of the Legislature and the people of Ontario.

Smirle certainly epitomized the best of what we hold dear in having a group of people there dedicated to the public service for the best and for what is good in a non-partisan way. Smirle was one of those who has been duly and properly recognized for that gift of dedication that he gave so generously while he served in this House. I didn't know him in committee, as some did, but through our work at the table he was also one of my teachers, as previous speakers have testified.

Also, I saw Smirle in another light. I don't think many people get to the St Andrew's Ball on as regular a basis as I used to, but he could sure cut the old Scottish reel and had a good time as well in that part of his life.

I hope Smirle is listening this afternoon, and if not, that he has a chance to read the script and realize that seven MPPs have fully agreed on something. We've cut across all party lines. Smirle, you've helped make history again. I'm just delighted to share with all my comrades and colleagues here at Queen's Park my esteem and to share in the recognition of one whom God has given to us to make it a better world. May he enjoy his days and may he find health and happiness wherever possible.

Hon Karen Haslam (Minister of Culture and Communications): I would like to add my very brief comments. For a while, I was the assistant Deputy Speaker and had a chance to work with Smirle. I would like to throw a light on another aspect of Smirle, and that's how he worked with the pages in the pages program for the young people. He was very good with the young people, very patient with the young people. Not to reiterate and repeat anything that's said here, I would just like to add my own comments about how important it was to have that calibre of person to work with at the clerks' table. It certainly helped me in my position, as I know it helped all of us here in the House.

Mr Jean Poirier (Prescott and Russell): As you know, Mr Speaker, I was the Deputy Speaker of this Legislative Assembly and had the honour to serve from 1987 to 1990. Of course, all of us who have served in that position were very thankful, and still are, for the excellent help and consultation that we received from the officers of the table, but in this particular case, Smirle.

I've always thought of Smirle as the Rock of Gibraltar. I think that if at the time of Hurricane Andrew Smirle had been standing in Florida, he would have been the last person to be moved by Hurricane Andrew. When you were sitting in the Speaker's chair, no matter how delicate the debate became, you knew that, especially if there was only one table officer, if Smirle was there, you would pray the Lord that Smirle would look your way and give you a

reassuring nod, a reassuring smile. And if you still looked bewildered—that meant, “Smirle, come up to the chair; I need your help”—you were most thankful when Smirle would come up to the chair and give you sound advice, like all table officers do.

I want to say thank you, Smirle. You’ve been a most precious friend and collaborator in helping us to understand this sometimes very difficult process and the often not easy task of chairing this humble and peaceful assembly. Therefore, we want to say thank you, Smirle, and j’apprécie immensément tes bons conseils et tes bons services, and may your sweet tooth serve you well.

Mr Robert V. Callahan (Brampton South): Just very briefly, there’s been a lot said about Smirle. I count Smirle among my friends in this place. I wanted to tell the members of the Legislature that a short time ago, we circulated a rather large card throughout the Legislature. I received a note from Smirle. In his usual fashion, he said it took him quite a while to read it and to decipher the names, and he wanted through that letter to express his thanks to each and every member of the Legislature, each and every member of staff, people at the table, for thinking kindly of him and taking time out to sign their names to that card.

Smirle is a rather remarkable person, as I think has been said. I have, since 1985, chaired probably every committee in this House, and I have to relate to the leader of the third party’s problem. I was asked to chair regulations and private bills, I think it was called, and I remember, after I’d been told that I was going to do that, the Premier of the day, Premier Peterson, saying, “Well, your legal background will help you.” I said, “Well, what is it?” He said, “I don’t know.” I asked a number of other people, and nobody seemed to know what that committee did.

Then I asked Smirle, and Smirle did know. So I have to thank him for that. I might still be wandering around the darkened halls of Queen’s Park, trying to figure out where the statutory instruments or the private bills and regulations were, and a lot of those people would never have had their corporations revived and they’d still be resting peacefully.

I want to thank Smirle for that, and I think each and every member of this Legislature certainly wishes Smirle well. He’ll be remembered every day by us in each and every way each of us remembers him, and we wish him Godspeed.

The Speaker: I want to thank all the honourable members who spoke about Smirle and to tell you that both a printed and an electronic copy of Hansard from today will be sent to Smirle, though I hesitate to send all the speeches of the honourable member for Bruce, but certainly today’s remarks will be sent along.

Later this month, the Governor General of Canada will be visiting our building and presenting to us our own coat of arms. We will be the first Legislature in Canada to receive our very own coat of arms. The inspiration for this comes from Smirle. Smirle is the person who did all the background work and has made it possible that the Ontario Legislature will be the first assembly in Canada to receive

its own coat of arms, a very fitting tribute to a most extraordinary servant of the House.

1420

STATEMENTS BY THE MINISTRY AND RESPONSES

CASINOS

Hon Marilyn Churley (Minister of Consumer and Commercial Relations): Since the 1992 Ontario budget, members on all sides of this House have expressed interest in possible casino locations. I rise today to inform members that our government will be moving ahead on an initial casino project located in the Windsor area.

This pilot project approach demonstrates our government’s commitment to proceed carefully and responsibly on the introduction of casinos in Ontario.

Our goals in launching the Windsor casino pilot project are straightforward: to create jobs, stimulate the tourism and hospitality industries, and provide much-needed assistance to the largest border community in the province.

Windsor’s proximity to an enormous US market can draw new dollars into Ontario, while at the same time creating new job opportunities and stimulating local economic development.

By starting with a single pilot project, we can make sure that the most effective regulatory and law enforcement systems are put in place, and we can develop a made-in-Ontario working model that other communities can watch and learn from.

We will be working closely with Windsor area municipalities to finalize the best approach and structure for the casino pilot project. After consultation with Windsor area communities, we will determine how the casino will be owned and operated. Once the structural and operational details have been worked out, we will begin the process of selecting a specific site for the Windsor area casino.

I know that some Ontario communities will be disappointed that they were not selected for the pilot project. Once the Windsor area casino is up and running, we will review and evaluate its operation. If there is community support for casinos in other areas of the province, we can then look at expanding the number of casino locations. As I’ve stated before—

Interjections.

The Speaker (Hon David Warner): Will the minister take her seat.

Interjections.

The Speaker: Minister.

Hon Ms Churley: As I’ve stated before, any casino location must have the support, by written resolution, of the local municipality. Members of the community must have opportunities to express their support and their concerns through their municipal council.

In addition to moving forward in the Windsor area, we are also continuing our discussions with the native communities as to the possible development of native gaming operations. Our government recognizes that a number of first nations are interested in gaming as a source of revenue for community economic development.

In addition, we will continue our consultations with representatives from the horse racing industry, charitable organizations and law enforcement officials both in Windsor and across the province.

Interjections.

Hon Ms Churley: I expect to be introducing casino legislation—I'm almost finished.

The Speaker: Will the minister take her seat, please.

Interjections.

The Speaker: Minister.

Hon Ms Churley: I expect to be introducing casino legislation in this session of the Legislature and hope that the Windsor area casino will be operating as early as next year.

The Speaker: Statements by ministers? Responses. The member for Lawrence.

Mr Joseph Cordiano (Lawrence): Thank you, Mr Speaker. I think—

Interjections.

The Speaker: The member for Lawrence.

Mr Cordiano: Today's announcement is obviously not a surprise to anyone. But I think it's important to note that what is sad and regrettable is the fact that this government has brought forward this initiative as a major one to provide economic stimulus for a hard-hit part of the province, as many other border communities are.

Interjection.

The Speaker: The member for Etobicoke West, come to order.

Mr Cordiano: I think it's rather regrettable that the only thing this government has to offer to those communities is something like casino gambling, the prospect of increased revenues and economic spinoff, and I say this isn't at all certain either. The minister's announcement today is probably surprising in this regard, with respect to what's missing from her statement.

1430

I think it's appropriate to say at this time, Minister, that you have not conducted a proper consultation process. You said on many occasions that you would take things slowly and not rush into this decision. I think it's appropriate to also note that you have not done as extensive a consultation process as I would have liked to have seen.

You announced the pilot project in Windsor without having answered the questions we're so interested in: for example, the impact of casino gambling on local communities with respect to social ills; the impact on the economy—we don't know what positive or negative results there are going to be from this: the impact on charitable organizations, the impact on the horse racing industries, will this have a positive benefit for tourism?

Madam Minister, I asked you these questions many times in this House. I asked that you bring impact studies forward. Quite frankly, I haven't seen those. Perhaps you've conducted those studies, but you haven't shared them with this House.

You mentioned in the press conference that you had no idea how much revenue this casino will generate. But can you answer this? Do you know how much you intend to spend to get it up and running, do you know how much you'll need to spend in order to create crime-free casinos and will your casinos generate enough revenue to cover all the costs associated with introducing them?

I've asked, as I said, on many occasions for information that the casino project team working on this has in its possession and what kind of consultation process it has conducted. I asked you in a private meeting on one occasion to bring that information forward so that all of us could see and share it with you. I think it's important to note that as of the present time we have not seen enough information to be able to determine whether the pilot project will be successful.

Also, I ask the minister, if she intends to introduce legislation this fall, then why has she announced a pilot project that won't commence till next year? What kind of legislation that she announced today is she going to bring in later on this session? What kind of legislation is she going to bring in if she's going to wait to see what happens in the pilot project? Do you know what the pilot project is going to indicate in terms of what's good for legislation to be brought forward?

How can you possibly draft legislation, bring that forward in the fall and then announce that you're going to have a pilot project to see the results of the pilot project, the impact that it has, and then do what with it? Are you going to change the legislation at a later date? Are you going to deal with the legislation on a piecemeal basis and stretch it out through next year when the results of the pilot project will be in your possession? I think the minister has to answer that question.

Quite frankly, if this is a job creation program, as the minister indicated in her press conference, if the pilot project should fail, then what happens after that? Will you close down the casino? Will Windsor be at a loss? Will Windsor lose out on casinos and will the rest of the localities that desire casino gambling be cut off? What impact will that have on job creation? If this is a job creation program and this is only a pilot project that you're experimenting with, what if the results of this experiment fail? Are you going to close the casinos down? That's a legitimate question that needs to be asked. You haven't indicated that.

There are very few details in this announcement. I'm looking forward to hearing additional details from the minister.

Mr David Tilson (Dufferin-Peel): The member for Lawrence has indicated that he's not surprised at this announcement today. I must say that we on this side are rather surprised, particularly when we have a minister who, when she was a member of Toronto council, voted against this process.

Interjection.

Mr Tilson: You did. You voted against having gambling casinos at the CNE and you know you did. Furthermore, we have a government that in the past, prior to getting elected, said it was against lotteries, it was

against gambling. But now we're going into it full-fledged. We're going to have everything. We're going to have fun. Both the Treasurer and the Minister of Consumer and Commercial Relations have said that they're going to have fun.

I must say that it's rather surprising to me that this position is going to be taken. We're going to have a gambling casino somewhere in Windsor. We don't know where, but it's going to be somewhere in Windsor, and we're going to move very slowly. Madam Minister, there's no question that you don't want it. Obviously, from your press conference, you have no idea what the heck you're doing over there with respect to this policy.

Yet the Treasurer, of course, has told you that we're going to have gambling casinos. You've now taken the "s" off; you're going to have a gambling casino somewhere in Windsor, but you're not sure. You're not sure whether you're going to have liquor licences in these places. You really don't know too much about that. You don't know about law enforcement. You don't know what sort of law enforcement you're going to need in these places, notwithstanding the statements that have been made by law enforcement officers around this province expressing grave concern about the criminal element that's going to be moving into this province because of your policy. But you don't know that.

You don't have any projections; you don't have any impact studies done. You don't know exactly what you're doing or what has been done in the past. You haven't made any study about this whatsoever. You don't know whether it's going to be public, private or public and private. You don't know; you're simply plowing ahead. You're not sure about tourism. You're not sure about the jobs.

"We're going to have it anyway. We're not sure about these things. We're not sure about generating revenue. We think it's going to give us revenue, but we're not sure. We don't have any studies as to the type of revenue it's going to give us or indeed it may cost us because of the lost jobs and the increased policing that's going to be required."

It may cost us more than it's going to give us. You've ignored the fact of what's happened in Manitoba. You've ignored that a gambling casino was put in Winnipeg for the purposes of raising revenue there, and what happened? Some 500 jobs were lost immediately in the racing business.

You have absolutely nothing to say in this House, and that's another matter, Minister. You come to this House after the member for Victoria-Haliburton has made a statement voicing his objections, and obviously there are a number of people applauding over in this section. I understand the House leader is making a simultaneous report in Windsor, and then you come to this House to make your announcement. What a preposterous and strange way of doing things.

But you have nothing to say about the need for more addiction treatment centres. Your party has talked about this over and over. You're plowing ahead with the process, but you have no plans for additional addiction treatment centres. You have nothing to say about the \$2.2-billion horse racing industry and its 50,000 jobs that will be killed off by casinos. That's what's been estimated. You have

nothing to say about the threat casinos pose to charitable organizations which now use gaming to raise funds for their charities. You have nothing to say about that.

You have nothing to say about the lost sales tax revenues, should people spend more and more of their money on gambling and less and less on other goods and services. You have nothing to say about that. You have no impact studies to talk about that. You have nothing to say about the potential losses, through corruption and fraud, due to inexperienced or insufficient regulatory personnel within the gambling casinos themselves. You have nothing to say about that, absolutely nothing, in your statement in the press conference today or in this House.

You have nothing to say about the escalating law enforcement costs which could accompany these gambling houses. That's been said over and over, but you've had nothing to say about it. You say: "It's a test project and we're going to talk about it. We're looking for consultation."

You have nothing to say about the fact that the Attorney General has written a very detailed report telling you, "Don't do it." He has said that virtually every study undertaken in the United States, Britain, Australia and elsewhere points out that gambling casinos, whether legal or illegal, encourage criminal activity. He has told you that if a jurisdiction is not willing to accept this involvement, then it should not get into legalized gambling. You've ignored those statements.

You've told us nothing. You say: "We'll roll the dice and we'll pick Windsor. Then the woes of Ontario will turn around. Then the financial woes will turn around." You have said: "Let's move more slowly. Let's roll the dice more slowly." What a strange way of doing it. You should shelve this operation and you should do an extensive study and can it until you know what you're doing.

Mr James J. Bradley (St Catharines): On a brief point of order, Mr Speaker: I would like to move for unanimous consent for the member for Victoria-Haliburton to respond to the announcement.

The Speaker: Order. Is there unanimous consent? No, there is not.

1440

FREEDOM OF INFORMATION

Mr David Tilson (Dufferin-Peel): Mr Speaker, I'd like to rise on a point of privilege which I have given you notice of earlier today. To paraphrase Beauchesne's Parliamentary Rules and Forms, parliamentary privilege is the sum of the peculiar rights enjoyed by members without which they could not discharge their functions and which exceed those possessed by other bodies or individuals. This, of course, echoes Erskine May's interpretation of "privilege."

Mr Speaker, I would like you to allow me to outline the details of what I consider to be a breach of my privilege as a member of this assembly.

In the course of my duties and responsibilities as a member of this assembly representing my constituents, I occasionally file requests under the freedom of information act. I have received numerous bills for this service, including

one for \$820, another for \$1,400 and yet another for \$2,600.

Paying these costs takes away the funds available to me as a member of this Legislature to serve my constituents and thus limits me from filing information which I believe is necessary to me, as Beauchesne's puts it, "to discharge my function" as a member of this House.

I believe that as members of this Legislature we should be allowed the freedom to make requests of this government in the course of carrying out our duties as elected representatives without being monetarily charged for this request.

I believe the current practices of this government, as legislated by the former Liberal government, impede my ability to carry out my job and responsibility as a member of the Legislative Assembly to represent and serve the best interests of the people of Ontario. Therefore, Mr Speaker, I would ask that you consider whether or not I have a *prima facie* case for privilege in this matter.

The Speaker (Hon David Warner): To the honourable member for Dufferin-Peel, while I will be pleased to consider the matter you've brought to my attention, if I'm not mistaken, the fees to which the member refers are provided for within the legislation itself and the members of the House do not enjoy a special privilege not enjoyed by any other member of the province of Ontario. None the less, I'm pleased to take a look at what you've raised. As is the member's practice, he has raised it in an exemplary fashion and I always appreciate his approach to points of order and privilege.

ORAL QUESTIONS

ONTARIO HYDRO PRESIDENT

Mrs Lyn McLeod (Leader of the Opposition): My first question is for the Minister of Energy. Minister, last week in this House you said you did not have any input to the board regarding the departure of the Hydro president, Mr Alan Holt, from Hydro. You also said that you found out about his departure in a press release dated September 30.

It is now apparent that you had discussions with Marc Eliesen about selecting a new president. This was confirmed in a letter to Marc Eliesen dated September 16, a full week before the board meeting on September 25. Minister, in light of these facts, how can you say that you knew nothing about Mr Holt's departure and that you had no influence whatsoever on the board's decision?

Hon Brian A. Charlton (Minister of Energy): There are a number of issues that the Leader of the Opposition has raised in her question and they need to be dealt with seriously and straightforwardly. I was asked last week whether I had directed the departure of Mr Holt; my response was no.

The letter which I tabled with the Clerk of this House and which I made available to the opposition and the press yesterday raised a number of issues with the chair of Ontario Hydro as a result of conversations I'd had in September with the chair of Ontario Hydro around transition, around successor issues and specifically around knowledge that they

intended to discuss at the board the position of president and a number of other management issues.

I wrote to the chairman of Hydro suggesting to him that in my view it was important that if there was going to be a new president, in fact the new chair of Hydro, if and when he or she has been appointed, be part of discussions, along with the board of Hydro, around that issue. That's what I wrote to the chair about. The decision of the board to deal with the president's position was a decision of the board.

Mrs McLeod: Mr Minister, you said last week that you had no input whatsoever to the board's decision. Minister, in that letter of September 16 you explicitly discuss the appointment of a new president. On September 16, to the best of anybody else's knowledge, Ontario Hydro had a president; it was not looking for a new one. Your letter went on to direct the board to deal with these issues as quickly as possible.

The letter you wrote was referred to the board meeting of September 25 and your own deputy minister attended that board meeting. Minister, even if you were not physically present at the meeting, you surely cannot deny that your influence was being represented through your letter, through your appointed chairman of the board and through your deputy minister. It is absolutely inconceivable that neither your appointed chair nor your own deputy minister failed to inform you of the outcome of that meeting. How can you say you knew nothing of Mr Holt's departure and had no influence in that board's decision?

Hon Mr Charlton: I guess the easiest way to address this question from the Leader of the Opposition is to say that her assumption yesterday about what the outcome of that meeting was was incorrect.

Mr Steven W. Mahoney (Mississauga West): Tell the truth.

The Speaker (Hon David Warner): Would the minister take his seat for a moment. Members will recall that it is not possible to do something indirectly that is forbidden directly. Asking for a member to tell the truth is suggesting that a member of the House is not telling the truth. I would ask the members to just exercise a bit of caution and restraint with respect to the language that is used. Allow the minister an opportunity to respond to your question. Minister.

Hon Mr Charlton: Thank you, Mr Speaker. The Leader of the Opposition's question is based on her assumption from yesterday and perhaps I'll just read it to you: "Signed by you, directing them to ensure that Mr Holt would leave Ontario Hydro? How do you explain that the Hydro board voted 7 to 5 to fire Mr Holt?" There was no such motion at the board, to the best of my knowledge. Mr Holt has not been fired and the assumption that the Leader of the Opposition has made is an erroneous assumption.

The Speaker: Final supplementary?

Mr Dalton McGuinty (Ottawa South): I've spent a great deal of time reviewing this matter very carefully. I have checked Hansard and the news clippings. I've spoken with many people, I have listened to the minister here today and I want to lay down the facts for all to know.

On September 16 the minister wrote a letter to Marc Eliesen. In that letter he indicated that there was going to be the selection of a new president in a timely way by the board.

On September 25 Hydro's board of directors met. A resolution was put forward at that meeting requiring that Mr Holt be suspended immediately, notwithstanding that at the time he was in Spain. In a debate that ensued, the minister's letter was used in support of that resolution. The resolution was passed. The deputy minister was present and oversaw all of this.

On September 30, in this Legislature, the minister said he had no input to the board regarding Mr Holt's departure. In addition, outside the House on that same day, the minister said Mr Holt had retired voluntarily and was not fired.

With much regret and a great sense of loss for all members on all sides of this House and for the people of this province, I have to conclude that this minister has deliberately—not inadvertently, but deliberately—misled this House.

The Speaker: Would the member take his seat. The member knows that he must withdraw those remarks.

1450

Mr McGuinty: Mr Speaker, I can appreciate full well that you must enforce the rules of this House, but I feel duty-bound to speak the truth, no matter how distasteful it may be. But out of respect for your office, Mr Speaker, and for the rules of this House, I will withdraw my statement.

My question for the minister is, will you now do the honourable thing and resign?

Hon Mr Charlton: I'm in fact pleased that the member noted in his diatribe that my letter in fact had been used in the discussion at the board. Perhaps the House would be interested and all the members of the House would be interested in knowing what it is that this minister said to the chair of Hydro.

"I'm writing to follow up our discussion about the search for your successor and the transition. As minister responsible for Ontario Hydro, I believe that it is extremely important that the new chair and the chief executive officer have the opportunity to work with the Ontario Hydro board of directors to select a new president and chief operating officer."

That was written in the context—

Interjections.

The Speaker: Order.

Hon Mr Charlton: That was written in the context of the full knowledge that the president's position was going to be discussed in succession matters.

Interjections.

The Speaker: Minister.

Hon Mr Charlton: Thank you, Mr Speaker. That part of the letter was written in the full understanding, from my discussions with the chair of Ontario Hydro, that the president's position was going to be discussed, along with other succession issues.

The letter went on to say, this letter that was used in this debate around this position, "In accordance with section 6 of the Power Corporation Act, it is the responsibility and the authority of the board of directors to appoint the president of the utility, exclusively its responsibility." That's the advice I provided to the board.

The Speaker: New question.

Mrs McLeod: Mr Speaker, it's quite clear that this issue is a question for the Premier, it's a question of the Premier's standards of behaviour for his cabinet ministers. In the absence of the Premier, we will have to defer further questions on this issue until the Premier is back in this House.

CASINOS

Mrs Lyn McLeod (Leader of the Opposition): In the absence of the Premier and therefore in our inability to continue with this issue today, I will ask my second question of the Minister of Consumer and Commercial Relations.

In responding to the minister's statement earlier today, our critic said we were not surprised that the statement had come. The reason that we weren't surprised was because we knew it was coming and today we've seen it: the Bob Rae government turning to gambling as a way of solving Ontario's financial problems.

Instead of taking the steps that we keep urging this government to deal with the economic problems that this province has, it seems that Bob Rae and his government are relying on a roll of the dice to grab the desperately needed revenues.

I would ask the minister, how can you and how can your Premier justify using casino economics as some kind of pathetic substitute for responsible financial management? Is gambling the only solution that you're going to offer the people of Ontario in these tough economic times?

Hon Marilyn Churley (Minister of Consumer and Commercial Relations): When the issue of casino gambling was announced in the budget, it was made clear at that time—and I have made it clear myself, and so has the Treasurer when asked—that in fact casino gambling is but a very small piece of the economic agenda. Of course it isn't the answer to all of the problems. What a ridiculous suggestion.

The issue is that some border communities came to the government and are looking at all kinds of pieces of an economic agenda to try to help them in these very difficult times. This government responded, and since the budget we have been working out and talking to people about the best approach and the best way to start such a project or projects in Ontario.

Of course it's not the answer to their problems. We all know that with the GST and free trade and the global recession it's not going to solve all the problems, but ask people in Windsor today. It sure is going to help them.

Mrs McLeod: Minister, of course we remember the budget. We remember a \$150-million desperate attempt on the part of the Treasurer to solve a \$10-billion deficit problem, and we asked then: What kinds of studies has your government done, what kind of studies have you done, on

the social and economic impacts of the proposals to establish casinos right across this province?

So, Minister, I would ask you again today, and let me be very specific: I would expect that you are aware of the experiences in other jurisdictions which clearly indicate that casinos can attract crime. Michael Pollock, of New Jersey's Casino Control Commission, is quoted as saying, "You're going to see an increase in everything—panhandling, pickpockets, murders, everything." In fact, Minister, in the three years following the opening of Atlantic City's first casino, calls for police help increased by 2,000%.

Minister, I ask you: Have you weighed these concerns at all in your decision to proceed? Does your government believe that the potential for increased violence, assault and crime in our communities would be justified by casino revenues?

Hon Ms Churley: The Leader of the Opposition I think refers to a story and a statement that was made when there was speculation out there that there could be five or six casinos. In fact my announcement today that what we're looking at is a pilot project I think will make law enforcers happy, because the advice we listened to, to move slowly and carefully, to make sure—

Mr Chris Stockwell (Etobicoke West): We know full well that the bad people don't bother with pilot projects. It's a pilot project.

The Speaker (Hon David Warner): Order, member for Etobicoke West.

Hon Ms Churley: If you want to hear the answer, I'm happy to give it. Otherwise you can speak to me later.

The reason why we are announcing a pilot project is for precisely those reasons. We are listening to people. We are listening to the police. We know that we can have a crime-free casino, and we're going to make every effort to make sure that's what happens. The very fact that we're starting with one, in a controlled and careful way, indicates that that's exactly what we are concerned about and will be moving carefully to make sure that doesn't happen.

Mrs McLeod: Minister, I seem to recall the Treasurer putting \$150 million into his budget based on the six casinos you were going to set up for him. Has the Treasurer now changed his budget estimates? You now expect us to believe that you have no other casino proposals up your sleeve, Minister, but we're still afraid that you may rush headlong into something that could in fact change the face of this province for ever without really looking at the consequences of what you're doing.

Minister, our concerns are heightened by the kind of comments we read in the background statement which you put out with your announcement today. One of the background statements is that, "Nevada is an example of one jurisdiction that built its economy around gaming."

Minister, will you assure this House that Ontario is not about to build its economy around gaming, that this casino in Windsor is really a pilot project, that you will put all other casino plans on hold until you've had an opportunity to fully study the potential economic and social consequences?

Hon Ms Churley: The answer to that is very simple. If she had read the full package that went out today and had listened to my statement in the House today, that is precisely what I said. Let me reiterate, for the member's comfort level, that we have announced today that we are going to begin consulting with people from the Windsor area to start a pilot project in that area and that no other proposals will be looked at until that casino is up and running and an evaluation is done. That is precisely what we're telling you today and telling the people of Ontario.

1500

ONTARIO HYDRO PRESIDENT

Mr Leo Jordan (Lanark-Renfrew): My question is for the Minister of Energy. Once again I want to ask, did you not tell me on September 30, as quoted in Hansard, that you had no input whatsoever into the dismissal of Mr Holt? You did not at any time, relative to that question, indicate that you had had not only verbal communication but written communication with the chairman of the board. Remember, the chairman of the board is Marc Eliesen. He's not only chairman of Hydro; he's chairman of that board.

I ask you again: In your letter, in the paragraph you just read, Mr Minister, you say "to select a new president and chief operating officer." Is that not the job Mr Holt was holding at the time? You don't realize—

The Speaker (Hon David Warner): Will the member conclude his question, please.

Mr Jordan: You're dealing here, first of all, with a high executive office which is already filled, and you are putting in writing to the chairman of the board that that office is vacant. Then you go on to say, "I am therefore requesting that you raise this issue with the board and ask them to resolve this in a timely way."

The Speaker: Will the member please conclude his question.

Mr Jordan: What position was open at the time you wrote this letter?

Hon Brian A. Charlton (Minister of Energy): The member raised a number of issues in his preamble, and his question was, what position was vacant at the time I wrote the letter? There was none. As I've explained a number of times, I had discussions with the chair of Ontario Hydro in September, discussions which made me aware that the board of Hydro would be having discussions around succession issues, including the president's position.

I wrote to the board, Mr Speaker, in the letter which has been tabled with your clerk, suggesting to the board of Hydro that it was important that the new chair of Hydro be part of the board in terms of any consultation around a new president. In his question, the member raised yet again, as he's done several times in this House, incorrect material about the dismissal of Mr Holt. No such event has occurred.

Mr Jordan: The minister says no such dismissal has occurred, that Mr Holt still has his position. Well, he doesn't. You just told us that no such dismissal has occurred. Our information is that Mr Holt has been fired by

your board of directors under the chairmanship of Marc Eliesen, and you're trying to tell me that you had no input into it. You say, "This minister and this government have not directed any of those actions." This letter completely contradicts that statement, and you lied to me that day.

Interjections.

The Speaker: Would the member take his seat, please.

Interjections.

The Speaker: I ask the House to come to order. The member for Lanark-Renfrew knows that he has made an unparliamentary remark. I ask the member for Lanark-Renfrew to withdraw the remark.

Mr Jordan: Mr Speaker, I was elected on the basis of honesty, integrity and accountability. You were asked yesterday, Mr Speaker, to assess these two documents—

The Speaker: Would the member take his seat. The honourable member knows that no member of the House may accuse another member of lying. I ask the honourable member simply to withdraw his remark.

Mr Jordan: But, Mr Speaker, please, do you agree that these two documents are contradictory?

The Speaker: I ask the member if he will withdraw the unparliamentary remark he made.

Mr Jordan: I can't withdraw the remark, because the remark is based on—

The Speaker: Would the member take his seat, please.

Interjections.

The Speaker: Order. If it is of any assistance to the member, what is at question here is not the veracity of statements but rather language—

Mr W. Donald Cousens (Markham): Sure it is. Integrity of the whole House.

The Speaker: Order. I ask the House to come to order. The honourable member is being asked to withdraw a statement which is unparliamentary. In withdrawing such a statement, he does not make any comment on the veracity of the statement but simply is adhering to the parliamentary principle that all members are honourable and no member will accuse another member of lying in the House. I ask the member, now that he's had an opportunity to reflect, would he please withdraw his statement.

Mr Jordan: Mr Speaker, I understand your point that by parliamentary procedure I should withdraw the remark, but I have a conscience too and I have to live with it. I have two contradictory documents in my hand and I cannot withdraw the statement.

The Speaker: To the honourable member for Lanark-Renfrew: I regret that he is unable to subscribe to the parliamentary language which we must insist upon in this chamber. The member leaves the Speaker with no option but to name him. Mr Jordan, you are named and I ask that you withdraw yourself from the House and its committees for the balance of this sitting day. Would the member voluntarily leave the chamber.

Mr Jordan left the chamber.

1510

The Speaker: New question, the leader of the third party.

Mr Michael D. Harris (Nipissing): Final supplementary, Mr Speaker.

The Speaker: Sorry. The practice in this chamber is that the question had belonged to the member for Lanark-Renfrew; he is no longer to be with us for the balance of the afternoon, thus the question itself has been killed. The third party is entitled to its second leadoff question, and I invite any member of the third party.

Mr Ernie L. Eves (Parry Sound): On a point of order, Mr Speaker: How do you know, sir, with all due respect to you, that the member for Nipissing wasn't going to ask the second supplementary to start with? As far as I know, there's no rule in this House that says that the same member who asked the question has to ask any supplementary. If there is, show it to me in the rules and I'll be glad to accept the fact that I'm wrong.

The Speaker: My understanding is that the practice is that because the member who had the question was ejected from the chamber, he has in fact forfeited the opportunity for him or any other member of his caucus to ask a question. It's not a rule in the standing orders, but it is indeed the practice of this House.

Mr Norman W. Sterling (Carleton): Mr Speaker, I think if you read the standing orders you will see that the official opposition and the third party are each given these questions during question period time. They are not owned by any one member of either of those two parties. They are owned by each of those parties, and as long as one of the members of those parties wants to take any part in any one of those questions, he or she is entitled to do that. That has been the practice here on a number of occasions. We have even seen it today where one member led with one part of the question and another member followed. The point is that within the standing rules the questions are owned by the parties and not by the individual members.

The Speaker: The member for Carleton pursues a very logical response. With respect to the clock, I will do two things: (1) I will review this matter and (2) allow a supplementary with the understanding that we are not setting a precedent. I require some time to take a look at this. In the meantime, I will allow a final supplementary to any member of the third party. I believe the leader would like to have such supplementary.

Mr Harris: Thank you very much, Mr Speaker. By way of final supplementary to the Minister of Energy, Minister, we have just heard from one of the most honourable members I've had the privilege of knowing, the member for Lanark-Renfrew. Fulfilling his mandate to carry out his role as your critic, critic of the Minister of Energy, minister responsible for Ontario Hydro, he asked you on September 30: "My question to the minister is, did your ministry give any direction? Did you have any input to the board regarding Mr Holt leaving the corporation at this time?" This was on September 30. You responded, "The answer to the question is, very simply, no."

Mr Minister, how do you rationalize that answer you gave on September 30 with the copy of the letter dated just about two weeks before that, September 16, directing the Hydro board and the chairman to take into consideration certain matters with regard to the hiring of a new president and chief operating officer? How can the member for Lanark-Renfrew fulfil his responsibilities if you give that kind of answer on September 30 when you're clearly on the record on September 16 having an influence, having an input by way of letter to the board?

The Speaker: Would the member conclude his supplementary, please.

Mr Harris: That's my simple question. How can the minister do his job if you're going to act this way?

Hon Mr Charlton: My answer is just as simple. My letter in no way directs the board of Ontario Hydro to do anything.

The Speaker: New question, the leader of the third party.

Interjections.

The Speaker: Order.

Interjections.

The Speaker: This House stands in recess for 10 minutes.

The House recessed at 1516 and resumed at 1526.

The Speaker: Minister?

Hon Mr Charlton: I think, Mr Speaker, I had concluded my response to the leader of the third party.

The Speaker: Supplementary?

Mr Harris: Mr Speaker, I appreciate the opportunity for a supplementary, but I believe it's now time to move on to a new question, so I'll move on to my second question.

GOVERNMENT'S AGENDA

Mr Michael D. Harris (Nipissing): My question is to the Treasurer, the Deputy Premier, in the absence of the Premier particularly.

Mr Treasurer, we are losing over 500 jobs a day for every day that you don't have a plan to put Ontario back to work. I'd like to quote, Mr Treasurer, from your throne speech last spring. "Doing our part to build a stronger economy," you said, "is the first priority of this government."

Treasurer, I have here a copy of an NDP caucus memo outlining the 18 priority items for this fall session. Not one of these 18 priority items of "must have" deals with the one thing that people need most: a job. Treasurer, is this list of 18 priorities that is your priority for this fall session your idea of an economic plan? Secondly, how do you jibe this with your commitment that the first priority of your government is to build a stronger economy?

Hon Floyd Laughren (Deputy Premier, Treasurer and Minister of Economics): I do appreciate the question from the leader of the third party. I don't have the list in front of me that the leader of the third party does, obviously, but I can assure him that in the budget, we indicated that there were three priorities of the budget for this fiscal year. The first one was job creation and the protection of existing jobs, the second one was the preservation of

essential services in this province, and the third one was keeping the deficit in check at a time of the worst recession since the 1930s. Those were our priorities in the budget and those remain our priorities today.

Mr Harris: The 18 priorities in the document that came from the Cabinet Office to the caucus executive indicated the 18 priorities, and some of them I can give you. This is your document, not mine. Some of them I can tell you, what you thought were the important ones.

Casinos: Well, we saw today how little you actually know about casinos, whether they'll generate any net jobs or not, or any revenue or not, or whether the money will stay in Windsor or come to Toronto to Queen's Park.

Another priority here on your agenda is false security alarms. That's a real job creator, Mr Treasurer. Another one is an important "must have" before Christmas: political activity rights. I suppose, Treasurer, that will maybe create some jobs for NDP hacks.

I suggest to you that it doesn't jibe with what you said your first priority was: the economy. Treasurer, if someone can't feed his family, he doesn't care about 90% of what's on your priority list for this fall session. I ask you if you could point to a single thing on your list of legislative priorities, the reason we are here and here till Christmas, that will put someone in Ontario back to work.

Hon Mr Laughren: First of all, the leader of the third party has been in this place long enough to know that there's a difference between what's on the order paper for a legislative session and what the priorities for a government are as we move through our first mandate.

I shouldn't have to, but I will remind the leader of the third party that still ongoing, day to day in this province, is a major commitment through our Jobs Ontario funds: the Jobs Ontario Capital, the Jobs Ontario Homes. We created almost 9,000 jobs for youth this summer with an additional injection of money for youth in the province. We created, through Futures, 27,000 jobs for youth in 1992-93 with a budget of about \$100 million.

I could go on and on and on. The point is that these major—

Mr Bill Murdoch (Grey): Go on and on and on. It's a joke.

The Speaker (Hon David Warner): Order, the member for Grey.

Hon Mr Laughren: I don't need a lecture from a Conservative anywhere in this country on how to create jobs, because that party has destroyed more jobs than any other party in this country.

Interjections.

The Speaker: Order. Final supplementary.

Mr Harris: I refer the Treasurer back to the throne speech. The throne speech lays out the legislative priority. It says, "This is what our government's priorities are." It's in the Legislature, and it's the legislative priorities. It says that the first priority of this government is to build a stronger economy.

Mr Treasurer, other than creating work for Ben Silverberg—Ben Silverberg is the entrepreneur who gives

lie detector tests—I want to know how your legislative priority jibes with the first priority of creating jobs.

Since you mentioned Progressive Conservatives, how does it jibe with Leslie Frost, with George Drew? How does it jibe with Bill Davis? How does it jibe with builders we had in this province for 42 years, who created jobs, created economic opportunity, created prosperity? And now in two years you have killed and destroyed more jobs than were created in that period of time. Treasurer, how does your economic agenda jibe with what should be your first priority?

Hon Mr Laughren: I'll try to be calm and reasoned, because I don't want to tease the bears over there again, but—

Interjections.

The Speaker: Order.

Interjections.

The Speaker: I would ask members on both sides of the House to attempt to exercise some restraint so that we don't have to have another recess.

Hon Mr Laughren: I will try and give a non-provocative answer, but it is difficult sometimes when the third party has such an opposition mindset that it will not step back and see that a lot of our initiatives this year do not require any changes in legislation so therefore do not need to be part of a legislative agenda for this fall session.

There's no legislation required for the Jobs Ontario funds and base capital. It's creating and supporting more than 90,000 jobs this year. There's no legislation required for the youth fund. There's no legislation required for the Futures program, for the social services employment program, for the municipal and first nations job creation programs, for Transitions, for the Ontario help centres, for the Environmental Youth Corps, for Jobs Ontario Capital.

There was no legislation required this fall to carry on with what I think is the most far-reaching, forward-looking investment in this province that it has ever had by any government in the history of the province.

POLICE JOB ACTION

Mrs Lyn McLeod (Leader of the Opposition): My question is for the Solicitor General. Minister, although the work slowdown being undertaken by the Toronto police cannot be in any way condoned, it's quite clear that this situation is continuing to grow more serious and that police in other jurisdictions are contemplating similar protests.

Minister, as I stated yesterday, I continue to believe that you must accept responsibility for the poisoned atmosphere and for the sense of alienation and demoralization being felt by police officers across the province. In light of the escalating concern, will you tell us what immediate and specific steps you intend to take to improve relations between your government and the police of this province?

Hon Allan Pilkey (Solicitor General): The member opposite alludes to a very troubling matter that is present with respect to some members of the Metropolitan Toronto Police. The chief of police, Mr McCormack, and the board will deal with that particular matter. It is their responsibility

to do so, and of course I urge them to. I will be monitoring those particular actions, as is my responsibility under the act, and I will involve myself if and when it becomes necessary.

In terms of the second part of the question regarding the atmosphere with respect to policemen and police-women all across this province, I have done nothing but sing the praises in this House in terms of those dedicated men and women who defend our rights in this province. I would challenge members opposite, from either party, to indicate anything in Hansard over the last 12 months that has indicated otherwise.

In addition, to be more direct to the question with respect to the OPP, \$45 million, 241 officers and new regulations that speak to more professional training and standards are all very positive aspects which build towards the confidence and support of our law enforcement agencies in the province.

Mrs McLeod: Minister, give that long list of all the things you've done to the police and then ask, "Why are you still so frustrated with what this government has done?" I don't understand why it isn't obvious to you that the NDP rhetoric has absolutely demoralized police forces across this province.

Your government and the ministry under your leadership have created a crisis situation. It's important that you understand that and it's important that you understand that it is now your responsibility to help resolve this situation.

Last night the chair of the Metro police services board, Susan Eng, said that the protest by Metro police is a demand to be heard. Mr Minister, that's all they're asking. Will you at least commit today to meet with representatives from the Metro police association and from other local police associations to at least hear and review their concerns?

1540

Hon Mr Pilkey: The member opposite says that she just doesn't understand, and I can't account for that lack of understanding. With respect to the use-of-force regulations which I announced in this House, one part of that which seems to be of some concern to some members of the Metropolitan Toronto force was developed within our ministry, yes, but it was also developed after a very broad consultation with the major police stakeholders, all of them: the Police Association of Ontario, the Ontario Association of Chiefs of Police, the Ontario police service boards and then a wide variety of other community representatives, such as the Block Parent association, the Association of Municipalities of Ontario—all of the police stakeholders. There were also other representations there from other community organizations and groups, and all of them collectively had the opportunity to discuss and bring input to this particular issue.

The issues that are before us in terms of the regulation are all aimed at improving officer and public safety. I think the public is well served by these new recommendations and resolutions, and they should simply be given the opportunity to work.

CASINOS

Mr Michael D. Harris (Nipissing): My question is to the Minister of Consumer and Commercial Relations. We learned this morning that this government has once again made a decision in the dark, this time about casinos. Minister, this morning at the press conference, you indicated in response to questions that you have no idea if this gamble will generate any tourism dollars, that you have no idea how much crime a casino will attract, that you have no idea how much money this will take away from existing charities or businesses in the Windsor area, that you have no idea who is going to run this private project, that you don't even know when or where it will open, yet, in the absence of all that, you've promised Windsor a casino.

Minister, I would ask you two questions. First, wouldn't it make more sense from a sound management point of view, something we haven't seen very much of, to do the social projections and economic studies before you announce the casino? Second, in the absence of having done that, when can we expect to see the economic and social projections and results of those impact studies, even though you've already made the announcement?

Hon Marilyn Churley (Minister of Consumer and Commercial Relations): If the government conducted all the impact studies the leader of the third party is asking for, we would never get anything done for the economy. The reality is that we have spent some time looking at the implications of this decision we made during the budget announcement. We believe we have listened to people. We have talked to the law enforcement officers, we have talked to the major stakeholders, and what everybody is telling us is to move in a cautious, controlled way, which is what I said we should do from the beginning. That is exactly what we are doing.

We certainly now will go on to start working with the members of the community from the Windsor area and the municipality and the officials in that area to work out with them, in a consultative way, the best model for that. We will be working with the police to come up with the best model to make sure that this casino is crime-free and that it does in fact generate revenues.

Mr Harris: Minister, we know the motivation is to generate money. Otherwise, why would you violate every principle your party has stood for during the last 50 years by taxing the poor? So we know it's to generate money. The only government that has jurisdiction in Ontario that's giving money back to the poor is Brian Mulroney: GST credits, more to the poor; taxation, tax the rich, give to the poor. That's the only government that has brought in any policy. What do we have from the NDP government? That's what we have, as embarrassing as that sounds. From the NDP, we have a Treasurer who taxes \$40 more if you make \$20,000. Now we have this tax on the poor. So we know the motivation is money.

This morning, Minister, you said, "We don't know how much revenue it will generate." Why haven't you done those impact studies? And let me ask you this question, Minister: Since you don't know how much money, and we know the motivation is money, will you today commit the

money that you are going to take away from Windsor hospitals, the money that the casino will take away from Windsor charities, the money that the casino will take away from all of the fund-raising projects now going on in and around the community of Windsor—will you commit that if there is any profit, that money, 100%, will stay in Windsor from where the money is generated? Will you commit to that?

Hon Ms Churley: I would say that it is precisely because of GST and free trade that the border towns have come to us as a government to ask for our assistance, and that is why they came and asked us to look at the possibility of casino gambling, and we are responding to their concerns and their requests.

What I want to make very, very clear is that in terms of the model and in terms of the revenue that can be generated, we want to and will consult with the people who live in Windsor to make sure that we have the kind of model that they would like to see in their community.

I feel there is no doubt that there will be revenue. I can tell the member the revenue that is made in Winnipeg, Manitoba; however, that is a different circumstance. It is the first time that we have, in Ontario, decided to start casino gaming, and this in fact is a pilot project which will give us a lot of the information that we need. I'm sure Windsor itself is very happy that it has this opportunity. We will shortly have this casino up and running, and that will tell us a lot of the things we need to know.

Mr Peter Kormos (Welland-Thorold): I have a question for the Minister of Consumer and Commercial Relations. I've listened carefully to everything she's had to say today, and I'm confident she told us everything that she can tell us about casino gambling in the province of Ontario during the course of her press conference.

However, as a New Democrat and as a person who's been active for 25 years in that party, I, along with other New Democrats, have persisted in explaining to our friends, co-workers and neighbours that our party is different, that our policy comes from the convention floor, from the grass roots, from the women and men who make up the body of that party, not from some clandestine back-room, not from some corporate boardroom.

My question is this: In view of the fact that there's been a provincial convention and several provincial council meetings since the budget speech, and in view of the fact that there's been absolutely no consultation or discussion within any of those bodies about this radical change in policy, when is the minister going to ensure that the party—those women and men who worked so hard for so many years to see an NDP government in this province—has an opportunity to discuss this very radical departure from long-held views by New Democrats and CCFers before them?

Hon Ms Churley: I understand that tomorrow the member for Welland-Thorold is turning 40, so I'll forgive him for being just a little bit edgy today. I want him to know, because I've already turned that corner, that there is life and there is fun after 40. There really is.

On the issue of consultation, casino gambling is not new. It is new to Ontario, but it is not new. It already exists in BC, Alberta, Manitoba and the Yukon. Other jurisdictions are looking at it. We have been—

Interjections.

1550

The Speaker (Hon David Warner): Order. Would the minister take her seat.

Interjections.

The Speaker: Minister.

Hon Ms Churley: We have been and we will continue to consult with the stakeholders who have some stake in this and particularly we will be talking to people in Windsor because that is the community that will be first impacted and we will continue to do that. In regard to the party, it's my understanding there is no particular party policy on this; however, of course we talk to our friends and neighbours in the party.

Mr Kormos: I thank the minister for those, I presume, somewhat backhanded congratulations. Yes, I am turning 40 tomorrow and in those 40 years I've learned that you don't do things behind closed doors, you don't do things in secrecy. If you're going to develop policy that's going to impact on 10 million people in this province, you do it openly and publicly. If you believe in a party that is a democratic party that generates policy at the grass roots, you go to that party before you start changing policy.

My question to the minister is this. In view of the fact there is clearly a wide range of strongly held views about casino gambling, its impact not just on the city of Windsor but on the whole province, its impact on poor people and other persons who might be lured to spend time at the slots among other things, in view of that, in view of the fact that this was not a party policy at the time of the last election and was not part of the New Democratic Party campaign—and I appreciate that John Chalmers, one of this minister's senior bureaucratic staff, was cavorting down at the Las Vegas Hilton two weeks ago—

The Speaker: Would the member place his supplementary, please.

Mr Kormos: —at an international gaming conference, but that doesn't constitute consultation. Will this minister today commit herself to a process of open, public consultation so that all of the views that are held, so that all of the opinions and valid submissions that could be made about the impact of casino gambling, its impact on tourism, if any, and the types of models that we ought to pursue, so that all of those views can be discussed, debated, exchanged—

The Speaker: Would the member complete his supplementary?

Mr Kormos: —and presented clearly and openly to the people of this province?

Mr Joseph Cordiano (Lawrence): Point of order.

The Speaker: Point of order?

Mr Cordiano: I have sat patiently today and waited for the Speaker to allocate time appropriately for each

member to have his or her say and I think today the question period has been going off on all kinds of directions. Most members around this place wait for their opportunity to ask questions—

Interjections.

Mr Cordiano: Just let me say what I have to say, please.

I think that it's incumbent upon us to allow members from all sides of the House to have their say and I appreciate the member previous putting his question, but I think you allowed far too much time today for each of the members to ask questions and quite frankly we never got very many questions in this question period. I think it's an atrocious question period and I think you should review what happened today.

The Speaker: To the member for Lawrence, I agree with him that as long as members are not prepared to exercise restraint, then indeed it will be very difficult to get the appropriate number of questions on the floor of the House. All I can do is continue to urge members to exercise some restraint so that we can get the maximum number of questions possible.

The time for oral questions has expired.

Interjections.

Mr W. Donald Cousens (Markham): We want an answer. Come on. There's got to be an answer.

The Speaker: To the House leader of the opposition, he will know that every point of order should be raised immediately, dealt with immediately. The clock continues and we've reached the end of the time period. At this point, the only way that we could allow a response from the minister is if the House agrees.

Mr Murray J. Elston (Bruce): Mr Speaker, it has long been held that as long as the question can be started before the clock expires, the minister is allowed to respond to it. It seems to me, Mr Speaker, that you're not remembering quite the way it is, because I can tell you that as soon as a question is begun, even if there's four seconds, the answer is given by the minister.

The Speaker: I stand corrected and I appreciate the advice of the House leader of the opposition. I stand corrected and indeed that is the practice of our House and the minister is permitted a response.

Hon Ms Churley: I appreciate the concerns the member raised. I just want to say that the reason why I announced today that we're starting with a pilot project very clearly deals with our concern, my concern, about some of these questions and that is why we're moving slowly and carefully.

We are not by any means operating behind closed doors in the dark. This was announced way back in April. We have made other announcements. We have talked to the press. We have, in fact, consulted widely on this, so it's a ridiculous allegation. This has been a very open process. The people out there, believe me, know what is going on. I just want to assure the member that those consultations with the party, without party, for all of the people of Ontario, will continue.

The Speaker: Now the time for oral questions has expired.

NOTICE OF DISSATISFACTION

Mr Dalton McGuinty (Ottawa South): On a point of order, Mr Speaker: I want to give you notice pursuant to subsection 34(a) of our standing orders that I'm not satisfied with the response given earlier to my question by the Minister of Energy and I'm asking for a late show.

The Speaker (Hon David Warner): To the member, I trust he will file the necessary document within the prescribed time at the table.

PETITIONS

GAMBLING

Mr Ted Arnott (Wellington): My petition reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the NDP government is considering legalizing casinos and video lottery terminals in the province of Ontario; and

"Whereas there is great public concern about the negative impact that will result from the above-mentioned implementations,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government stop looking to casinos and video lottery terminals as a 'quick-fix' solution to its fiscal problems and concentrate instead on eliminating wasteful government spending."

This is signed by approximately 200 people from Fergus, Elora, Arthur, Flesherton and Dresden, among other places.

Mr Dennis Drainville (Victoria-Haliburton): "To the Legislative Assembly of Ontario:

"Whereas the New Democratic Party government has traditionally had a commitment to family life and quality of life for the citizens of Ontario; and

"Whereas the families are made more emotionally and economically vulnerable by the operation of various gaming and gambling ventures; and

"Whereas the New Democratic Party government has had a historical concern for the poor in society, who are particularly at risk each time the practice of gambling is expanded; and

"Whereas the New Democratic Party has in the past vociferously opposed the raising of moneys for the state through gambling; and

"Whereas the citizens of Ontario have not been consulted regarding the introduction of legalized gambling casinos despite the fact that such a decision is a significant change of government policy and was never part of the mandate given to the government by the people of Ontario,

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government immediately cease all moves to establish gambling casinos by regulation and that appropriate legislation be introduced into the Assembly, along with a process which includes significant opportunities

for public consultation and full public hearings as a means of allowing the citizens of Ontario to express themselves on this new and questionable initiative."

MUNICIPAL BOUNDARIES

Mr Ron Eddy (Brant-Haldimand): I have a petition to the Legislature:

"That the Legislature of Ontario reject the arbitrator's report of the greater London area in its entirety, condemn the arbitration process to resolve municipal boundary issues as being patently an undemocratic process and reject the recommendation of a massive annexation of land by the city of London."

It's signed by 18 citizens of Middlesex county, and I affix my signature.

1600

LABOUR LEGISLATION

Mr Gary Carr (Oakville South): I am pleased to table a petition signed by concerned citizens who live within my riding, in Oakville and Burlington and the surrounding area, which reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the proposed changes to labour legislation will increase potential job losses; and

"Whereas they will cause a decline in investment in Ontario; and

"Whereas they will seriously undermine the recovery of a sound economic environment; and

"Whereas a recent public opinion poll showed that 83% of Ontario citizens support the withdrawal of these proposed changes;

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to declare a moratorium on any proposed changes to the existing labour legislation."

MUNICIPAL BOUNDARIES

Mrs Irene Mathysen (Middlesex): I have a petition signed by 29 residents of the county of Middlesex, including people from Strathroy, London, Lambeth and Mount Brydges. They petition the Legislature as follows:

"That the arbitrator's report for the city of London and the county of Middlesex be set aside because it does not reflect the express wishes of the majority who participated in arbitration hearings. It awards far too extensive an annexation area to the city of London, and it will jeopardize the vitality of the county of Middlesex and our rural way of life."

I have signed my name to this petition.

HOSPITAL LEGISLATION

Mr John Sola (Mississauga East): I'd like to read into the record a petition in the form of about 600 letters I have received expressing concern with the proposed changes to the Ontario Public Hospitals Act. It goes as follows:

"Archbishop Aloysius Ambrozic has made his concerns known about the proposed changes to the Ontario Public Hospitals Act made by the Minister of Health, Ms Frances Lankin. The proposed changes include replacing volunteer boards of directors by appointed or elected

boards. These changes would include Catholic and other hospitals presently administered by different religious communities. These changes would fundamentally change the direction, values, philosophy, tradition and mission of Catholic hospitals, which have been a bright light in the health care field for over 150 years in the province of Ontario.

"I would like to add my voice of concern to those of thousands of concerned citizens that are members of St Maximilian Kolbe parish community. We strongly oppose the changes proposed by the Minister of Health and believe that the quality of health care and the values and philosophy that are now part of Catholic hospitals would be jeopardized or even destroyed by the proposed changes.

"I am forwarding to your offices hundreds of letters written by our parishioners regarding this matter. For the most part, they are constituents of Mississauga East and West. Please present them to the Minister of Health and voice our concerns during the upcoming debate in the provincial Parliament.

"On behalf of myself and the parish community of St Maximilian Kolbe, I thank you for your attention and concern, and offer you my best wishes and prayers."

It's signed by Reverend Nowak.

I'd like to point out that for the most part these are individual letters, some of which are written in Polish with English translations. This shows the depth of feeling on this matter by constituents in Mississauga.

LANDFILL

Mr W. Donald Cousens (Markham): I have well over a thousand signatures from people in York region with regard to the proposed landfill sites in York region.

"To the Legislative Assembly of Ontario:

"Whereas the government of Ontario has promised to uphold legislation to protect environmentally sensitive areas from landfill sites;

"Whereas the government has promised each person in Ontario the right to a full environmental assessment, including the right to a review of all options as it pertains to waste disposal in Ontario;

"Whereas we absolutely reject the notion of the establishment of garbage dumps for the Metro Toronto waste in York region;

"We, the undersigned, protest and petition the NDP government in the Legislative Assembly of Ontario to protect environmentally sensitive areas and look at all viable options for waste disposal. York region protests the location of landfill sites on the environmentally sensitive Rouge Valley and Oak Ridge systems.

"We therefore call upon the government to repeal Bill 143 in its entirety, consider all alternatives to site selection in York region and directly consult with all of the residents of Georgina and York region with regard to their wishes, possibly by referendum, and immediately cease the process of site selection in York region."

Humbly presented and affixed with my signature, Mr Speaker.

RETAIL STORE HOURS

Mr Kimble Sutherland (Oxford): I have a petition here with approximately 50 names from people from the Bright, Plattsville, New Hamburg and New Dundee area, and the petition reads:

"I, the undersigned, hereby register my opposition to wide-open Sunday business.

"I believe in the need of keeping Sunday as a holiday for family time, quality of life and religious freedom. The elimination of such a day will be detrimental to the fabric of society in Ontario and cause increased hardship on retailers, retail employees and their families. The proposed amendment of the Retail Business Holidays Act of Bill 38, dated June 3, 1992, to delete all Sundays except Easter (51 per year) from the definition of 'legal holiday' and reclassify them as working days should be defeated."

PORNOGRAPHY

Mr Ted Arnott (Wellington): I have a petition. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas there is a great deal of unacceptable pornography and violence on television, movies, videos, in books, magazines etc; and

"Whereas this prevalence has a negative impact on our society in general and on children in particular; and

"Whereas there appears to be very little restriction on the availability of these materials;

"We, the undersigned, beg leave to petition the Legislature as follows:

"We believe the government of Ontario should institute more strict controls on violent and pornographic movies, television, videos, etc."

It's signed by about 50 of my constituents.

REAL ESTATE GAINS

Ms Anne Swarbrick (Scarborough West): I have a petition signed by approximately 60 people, saying:

"We, the undersigned, petition the Legislative Assembly of Ontario to urge the Honourable Floyd Laughren, Treasurer of Ontario, not to proceed with an additional tax on real estate gains."

STANDING ORDERS REFORM

Mr Dennis Drainville (Victoria-Haliburton): "To the Legislative Assembly of Ontario:

"Whereas on June 11, 1992, the honourable member for Victoria-Haliburton, Mr Drainville, moved a resolution, 'That in the opinion of this House, the standing committee on the Legislative Assembly should be authorized to review and report to the House on recommended changes to the standing orders to allow independent members of the assembly the right to more fully participate in the work of the assembly'; and

"Whereas the Legislative Assembly on that date, June 11, 1992, did unanimously vote in favour of that resolution;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We request that the government allow the standing committee on the Legislative Assembly to study and debate the said resolution."

I have signed this.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Mr Cooper from the standing committee on administration of justice presented the following report and moved its adoption:

Your committee begs to report the following bills as amended:

Bill 74, An Act respecting the Provision of Advocacy Services to Vulnerable Persons / Loi concernant la prestation de services d'intervenants en faveur des personnes vulnérables, the French title of which is amended to read "Loi concernant la prestation de services d'intervention en faveur des personnes vulnérables"

Bill 108, An Act to provide for the making of Decisions on behalf of Adults concerning the Management of their Property and concerning their Personal Care / Loi prévoyant la prise de décisions au nom d'adultes en ce qui concerne la gestion de leurs biens et le soin de leur personne

Bill 109, An Act respecting Consent to Treatment / Loi concernant le consentement au traitement

Bill 110, An Act to amend certain Statutes of Ontario consequent upon the enactment of the Consent to Treatment Act, 1992 and the Substitute Decisions Act, 1992 / Loi modifiant certaines lois de l'Ontario par suite de l'adoption de la Loi de 1992 sur le consentement au traitement et de la Loi de 1992 sur la prise de décisions au nom d'autrui, the title of which is amended to read "An Act to amend certain statutes of Ontario consequent upon the enactment of the Advocacy Act, 1992, the Consent to Treatment Act, 1992 and the Substitute Decisions Act, 1992 / Loi modifiant certaines lois de l'Ontario par suite de l'adoption de la Loi de 1992 sur l'intervention, de la Loi de 1992 sur le consentement au traitement et de la Loi de 1992 sur la prise de décisions au nom d'autrui"

The Deputy Speaker (Mr Gilles E. Morin): Shall the report be received and adopted? Agreed? Agreed.

Pursuant to the order of the House dated May 28, 1992, these bills stand referred to the committee of the whole House.

1610

ORDERS OF THE DAY

Hon Shelley Martel (Minister of Northern Development and Mines): With respect to the debate this afternoon, there's been agreement among the three parties to divide the time equally. I expect a vote at about 5:50 this afternoon.

The Deputy Speaker (Mr Gilles E. Morin): Is there agreement? Everybody agrees? Agreed.

WANT OF CONFIDENCE MOTION

Mr Harris moved, pursuant to standing order 42(a), want of confidence motion number 2:

That this House, noting that since this government has taken office it has pursued policies which have discouraged investors and consumers and punished taxpayers and which have compounded rather than ameliorated the economic problems facing the province by imposing multi-billion-dollar tax grabs, by adding billions to the provincial debt, by pursuing an anti-business agenda as expressed through its biased and unbalanced labour law reforms, by creating an environment hostile to the private sector and by showing itself to be hostage to the special interest groups as opposed to an advocate for the public interest, and further noting since this government took office two years ago:

(a) that more than 290,000 additional Ontario workers have been forced on to unemployment,

(b) that the unemployment rate has increased by more than five percentage points,

(c) that 86,000 jobs in manufacturing, 60,000 jobs in the construction industry and 24,000 jobs in the trade sector have vanished,

(d) that the welfare case load has increased to the point where today more than one million Ontarians depend on welfare,

finds that this government is incapable of managing the economy of the province in a manner which will create new jobs, new opportunities and lower taxes and therefore this government lacks the confidence of this House.

Mr Michael D. Harris (Nipissing): Nobody regrets more than I the necessity for bringing this non-confidence motion forward today. Behind all of the 290,000 Ontario workers who have been forced on to unemployment lies a family, lies lost hope, lie crushed dreams, lies lack of opportunity and hope for children in this province.

Behind each and every one of the 86,000 jobs that were lost in manufacturing, there is a family story, not a happy one.

Behind each one of the 60,000 jobs in the construction industry, there is a family, there are children. It's not a happy story.

Behind each one of the 24,000 jobs in the trade sector that have vanished, there are families, there are hardships, there are lost dreams, there are crushed hopes.

It is for that reason that I truly regret the necessity of this motion at this particular time.

At no time in our history that I can recall over the last 50 or so years have we seen such absolute incompetence in managing change and in managing the situation that Ontarians are faced with. I was looking back to George Drew and the 22-point plan for organized economic and social growth. It's not the first time that Ontario has faced the downturn. It's not the first time that there has been a restructuring going on.

I've heard the government say things like "when this recession is over." We're not in a recession. If you think recovery is just going to come about and then the good times will roll, you're very sadly mistaken. We've had recessions before—we had one in 1981-82—and we've had restructurings before. What we're in today is another restructuring. We're in a period where there is global restructuring, where there is North American restructuring,

and yet we have a government sitting back and saying: "When the recession is over, here's what we'll do. We'll spend \$10 billion. We'll borrow it and then we'll pay it back somehow when the recession is over." There is no recession; there is a massive restructuring taking place.

When you review, and if you view the situation and understand that it is a restructuring, then you see opportunities. You see hope and you deal with it and you manage those changes. That's why this province prospered and led this country for so many decades, because we had governments that weren't stuck to any ideology, that weren't stuck to any notions of the past but were constantly adapting to the changes of the future, the changes that were happening around it.

I was reading back on Drew, who really started a lot of the economic prosperity, the modern prosperity that Ontario enjoyed. He drew up a 22-point plan for organized economic and social growth. At that time it was based upon the renewal and expansion of Ontario Hydro, tax cuts and reforms in support of a modern economic and social policy, not the social policies of the decade previous but new, innovative, progressive social policies to adapt to the restructuring that was going on at that time. Premier Drew said, and I quote, "In every field of employment, individual initiative will be encouraged and hard work rewarded by reducing taxes and removing bureaucratic restrictions."

Ontario started on a path of investing in and building our infrastructure. Think today of the differences. They planned 5, 10, 15 or 20 years in the future with Hydro needs and a Hydro grid across this province, not the disastrous Hydro policies of this government we've seen today.

Think of the roads, where roads were built in advance of development, where the infrastructure was developed, where there was an education system adapting to the time, ready for the challenge of educating our youth for the jobs that were coming about with the restructuring at that time. Ontario prospered. We were envied across Canada. We were envied around the world. They came here to Ontario from far and wide to seek a better life, and through the decades a succession of Premiers—Frost, Robarts, Davis—actively managed the change of their decades by building a future instead of being victimized by it.

Had Davis and Robarts sat back as the change was coming upon them in the late 1960s and 1970s instead of thinking ahead to the future, building and creating the whole community college system to be able to reflect the changing skills that were required for a workforce then, looking ahead, planning ahead, planning and managing that change that was taking place—that's why Ontario was so envied, why we prospered, why we had the jobs that were appropriate for those days. Instead of being whipsawed by change, they chose to act reasonably, responsibly and above all competently with a plan to respond to change in a changing society. That essentially was Ontario's formula for success for more than 40 years.

For the last decade or so, perhaps seven years, if I can put a precise time frame on it, we've been drifting. We've been drifting directionless from pollster to Premier to headline to hardship. We've had government policies that said, "How do we get elected?" We had a Premier by the

name of Peterson, "How do we trick 'em into voting for us?" Then we had a Premier by the name of Rae, "How do we do the same and how do we get elected?" not, "How do we do the responsible thing? How do we manage the change that's taking place?"

As Ontario has moved towards this huge, new bureaucracy of 12,000 and massive spending increases in the past seven years, more than doubling the government's role in our lives in taxation, we've seen loss of opportunity. We've seen other provinces, not perfectly, but managing the change better than Ontario. So where Ontario was envied across Canada—all of us have relatives and friends in western Canada who said: "You get all the investment. You get all the good jobs, Ontario. It's not fair." Now they're giggling and laughing at us.

1620

We look at a Liberal government in New Brunswick, leading with structural changes to how they operate, getting their education system efficient, ready for the skills required for the next 10 years in New Brunswick. Is it any wonder that Premier McKenna is able to advertise in the *Globe and Mail* every week with success? He's not after those from Newfoundland, you know, to take their dollars and invest in New Brunswick. He is after and he is getting the investment and the jobs and the dollars from those potential investors who were coming to Ontario for over four or five decades when we managed the change well.

It is for these reasons that we have an absolute and unequivocal lack of confidence in this government. It is why we believe it is important, when we look at the economic agenda, when we look at the legislative agenda, and we see a government so out of step with what is required for Ontario, lagging behind in education, lagging behind in the skills, lagging behind in those important infrastructures our businesses and industries of the future need, falling farther and farther behind other provinces, farther and farther behind other governments. The only job creation program today announced was casino gambling, if you can believe that they are that far out of touch with what's happening in this province.

I was intrigued with Cliff McIntosh, the Quetico Centre, quite a progressive thinker and individual, in my view. Not everybody will agree. He cites a true story involving a news conference held recently by 30 Chinese businessmen at Thunder Bay's Confederation College. They're from Red China, as we know it, Communist China. On an exchange program, they were studying in Thunder Bay. The spokesman for these 30 businessmen said Canada's an unattractive place to do business because there's too much government regulation. Who would have thought that we would have heard from someone from Communist China, the last of the large centrally planned economies, saying that, from their perspective, in Ontario, Canada, what they have seen right here in this province is that in fact Canada is an unattractive place to do business because there's too much government regulation?

We have strayed so far from the marketplace. We have tried to have a command economy when they have failed all over the world. We spend billions and billions more of government money, and as every billion is spent, another

500 jobs are lost every day in this province of Ontario, going to Alberta, going to British Columbia, going to Manitoba, going to Saskatchewan, going to New Brunswick.

We have a Treasurer in this province of Ontario who went to Ottawa and asked for a bailout, asked for an equalization payment, at a time when we're looking at this Constitution and studying Confederation. I've heard Ontarians express a viewpoint that, "You know, Ontario is always asked to give, give and give." I've said: "It's changed, you know. The Treasurer of Ontario went to the government of Canada last fall and asked the taxpayers of Newfoundland, asked the taxpayers of the Maritimes, asked the taxpayers of the Prairies to bail Ontario out, to help us through this recession."

This is a province that led Canada out of recessions, and this province that could, and very easily should, with a different direction, with a new direction, with a government that understood the balance between the private sector and the public sector, with a government that put people first, ironically enough with a government that had an agenda for the people, not an agenda for the NDP, not an agenda for the Bob Whites, not an agenda for the big unions, but an agenda for the people.

If we had that kind of agenda, as we had from Drew, as we had from Frost, as we had from Robarts, as we had from Davis, as my caucus sent over to the Premier, an agenda, an economic blueprint, an agenda for economic renewal and prosperity in Ontario—we sent it over to him last year. It still stands as the only political document prepared by any political party in Ontario that has a vision, that looks forward, that talks about how we can prosper again, how we can create jobs, we could have hope, we could have opportunity. And we get the tired old rhetoric from this government.

It is obvious to every one of the 500 who were laid off today and lost their jobs today, and the 500 who have lost their jobs every day this government has been in power, it is obvious to them and their spouses and their families and their children that this government is incompetent, that this government is not capable of managing the restructuring that is going on now across this globe, across North America, and it is for those reasons that this House has put forward a motion today that we have no confidence in the government.

I ask all members of this Legislature to reflect, to put partisanship aside, to think about your children, to think about your neighbours who are losing their jobs who have lost hope. That's what you were elected to do. You weren't elected to listen to Bob White. You were elected to represent your people in your riding, in your neighbourhoods, who are damn scared, who are losing their jobs, and their children, who are losing hope.

I ask you to think about that when you vote at 6 o'clock today. Do you have confidence in this economic agenda that is destroying 500 jobs a day, or do you want to stand up for what you were elected to do, to make sure that you have more fairness and hope and opportunity in your communities and in your ridings? You will not get it by continuing to support this agenda of Bob White, this

agenda of Bob Rae, that is destroying all hope in this province.

Hon Bud Wildman (Minister of Natural Resources and Minister Responsible for Native Affairs): I listened with interest to the leader of the opposition party, the third party, as he made his remarks in support of his motion of want of confidence in this government, and I must say, while I listened with care, I disagree emphatically with the premises on which his arguments are made.

I guess the only thing I agree with in his remarks is that we are not only going through the worst recession this government and this province have faced since the 1930s, but indeed we are facing a major restructuring, and it's because of the government's commitment to respond to the serious need for restructuring our economy that I oppose this resolution.

One should look really at what this government has done in the last two years in face of this major restructuring, in face of the fact that we as a government, for the first time since the 1940s, have experienced a drop in revenue two years running. We have still been able to respond to the needs of workers and of communities across the province.

I think particularly about northern Ontario, where we have faced major problems, largely because of the new trade realities related to free trade and to the historically high interest rates until recently.

We saw situations where in Sault Ste Marie, the third-largest steel producer in this country faced possible closure, possible bankruptcy and shutdown, and this government didn't stand back. This government cooperated with the Steelworkers and with the management of that company, and with the banks, yes, the financial institutions, and with the community, to save that corporation and to make it possible for us to have a new future in Sault Ste Marie and Algoma district.

I think of my colleague the member for Cochrane North when he had to deal with the very serious problems facing Kapuskasing and the Spruce Falls Power and Paper Co, and this government didn't stand back. This government responded to the work of the community. That community, a community of about 12,000 people, raised \$15 million in pledges for that company to ensure that company could continue to operate and that the workers could continue to operate that. This government responded to the bush workers and to the mill workers, and yes, to the small business community in Kapuskasing. If that's not responding to the restructuring, I don't know what is.

One could also look to the area of the North Shore and to Elliot Lake, where, because of the changes in the uranium market, the changes in demands from Ontario Hydro, the contracts that were negotiated by Ontario Hydro at the time the Conservatives were in power, this government responded to the needs of Elliot Lake, Blind River and the North Shore and invested, through Ontario Hydro and through the Ministry of Northern Development and Mines, more dollars in the restructuring of that economy than any community in this province has seen. That's the kind of response this government has had to the restructuring of the economy.

1630

It isn't just in northern Ontario and it isn't just the government that is responding to the restructuring of this economy. This motion—

Mr David Turnbull (York Mills): Then you bail them out with taxpayers' dollars.

Hon Floyd Laughren (Deputy Premier, Treasurer and Minister of Economics): Take your anti-union diatribe somewhere else.

The Deputy Speaker: The member for York Mills, please. Minister.

Interjections.

The Deputy Speaker: The member for York Mills, the member for Oakville South, you don't have the floor. Minister.

Hon Mr Wildman: Mr Speaker, they're taking time from me. I guess they don't want to hear it.

In their motion, they say that this government has damaged the confidence of investors. It's interesting that the member for Oakville South would intervene at this point. When one looks at the commitment that the Ford Motor Co has made to investment in his community and in this province, in the neighbourhood of \$2 billion in investment in this province, and the other auto companies, Chrysler and its commitment to Ontario—

Interjections.

The Deputy Speaker: Order.

Interjections.

Hon Mr Wildman: I'm amazed that the local member would say that he considers the commitment of the Ford Motor Co to his community to be a bailout. That's amazing. It really is amazing to say, as a local member, that he won't stand up for his community and welcome the commitment of the Ford Motor Co to this province and to his community.

It's not just Ford. It's the auto industry in general.

Interjections.

The Deputy Speaker: Order, order, the member for Oakville South.

Interjections.

The Deputy Speaker: The member for Oakville South, if you want to be patient, I will give you the opportunity shortly to voice your opinion. In the meantime, please remain quiet. Minister.

Hon Mr Wildman: I will accept the fact that the gentleman probably has never heard the view that you should not look a gift horse in the mouth.

One should also look at the rest of the auto industry: Chrysler and its commitment to Bramalea and to Windsor, GM and its commitment to this province. We've got more investment in the auto industry in this province at a time of major restructuring in auto across North America, including Ontario, than any other part of the North American continent.

This opposition party has said that we have punished taxpayers. If anyone has imposed a punishment on the people of this province, it is that party and its commitment

and determination to build the Darlington nuclear plant when everybody else was telling it it shouldn't go that route, it shouldn't go to megaprojects, because it was going to cost us far more than it predicted, and it was going to bankrupt Ontario Hydro. We're having to deal with that. We're having to deal with those problems because of the poor planning and lack of foresight of the Tory party. And that was committed to, of course, by the Liberals when they were in power as well.

Interjections.

The Deputy Speaker: Order, order, order. The Chair will not accept a shouting match, please. The member for York Mills, I just want you to please remain quiet. If you want to have the opportunity to debate afterwards, do so. Do you have a point of order?

Mr Turnbull: Yes, Mr Speaker. If I heard any truth in what is being said from across the floor, you wouldn't have the interruptions—

The Deputy Speaker: Order, order, order. I will not accept this language. I will ask you to withdraw please.

Mr Turnbull: Mr Speaker, I will withdraw the words, but the intent is still there. We know what—

The Deputy Speaker: I won't accept that. I won't accept that. I will not accept that. The member for York Mills, I want you to withdraw.

Mr Turnbull: Mr Speaker, there's obviously a divergence of opinion. Indeed, this is a government that is destroying this province and that is why I am so shocked at the nonsense that is being spoken.

The Deputy Speaker: It's not a point of order. Take your seat. You will have the opportunity to debate. In the meantime, I would ask you to remain quiet.

Hon Mr Wildman: If I was shouting, I suppose it was because of the noise from the other side.

I was elected to this House first in 1975. I've seen a number of governments serve in this province. I would say to you that the calibre of debate and the class with which people have withdrawn, when asked to do so when they have said things that perhaps they shouldn't have said, has certainly gone downhill in that time.

I'll try to conclude my remarks by saying a couple of things. This government has made a major commitment to job creation in the time of a serious—

Mr Turnbull: That's what you say over there.

Mr Steven W. Mahoney (Mississauga West): I liked you better in opposition, Bud.

Hon Mr Wildman: The members don't want to hear about even our short-term efforts. One looks at the Jobs Ontario fund, which is creating 90,000 jobs alone in this province this year; the anti-recession package that went before that, which created 18,000 jobs; the 1991 budget initiatives that could save 70,000 jobs; the Jobs Ontario Youth program that created 8,800 jobs over the summer; the Futures program that will provide 27,000 jobs in 1992-93; the efforts to get people off social assistance by having the social service employment program create 5,500 jobs in this province, and the Environmental Youth Corps that will employ 36 youth in conservation projects across the

province. This government has made a major commitment with the Jobs Ontario Capital funding that will create 10,000 jobs this year so far.

This government is responding to restructuring. This government is responding to the major problems we face in the economy. This government recognizes the need for action to create jobs. It is for those reasons, and because of the barracking across the floor, that I will be voting against this motion.

NOTICE OF DISSATISFACTION

The Deputy Speaker (Mr Gilles E. Morin): Pursuant to standing order 33(a), the member for Ottawa South has given notice of dissatisfaction with the answer to his question given by the Minister of Energy concerning the dismissal of Al Holt from Ontario Hydro. This matter will be debated today at 6 pm.

WANT OF CONFIDENCE MOTION

Mr Gerry Phillips (Scarborough-Agincourt): I am pleased to join the debate and to let you know, Mr Speaker, that we will be supporting the motion of the leader of the third party.

I say to the government members that I think it is truly supportable that the government is incapable of managing the economy of the province. I would say that the very first budget you brought in, Treasurer, was a mistake. As we look back on it now, it set the government on a course that you frankly have never been able to recover from, setting the deficit at \$10 billion. In that budget, as you'll recall, I think you said you chose to fight the recession instead of the deficit. I think people who look back on that budget now would say that you should have begun the fight the deficit then.

Hon Mr Laughren: Don't forget we inherited most of it.

Mr Phillips: There we go. I'm going to get at that deficit right now, because the Premier used a number the other day that I do not believe. He said that you inherited an \$8-billion deficit.

The facts of the matter are, the independent Provincial Auditor analysed the books. I choose to believe the Provincial Auditor. I will hold this report up every time the Premier uses that \$8-billion number, and I will say I believe the Provincial Auditor.

1640

Here's what the Provincial Auditor said. He said Ontario has had only one surplus in the last 20 years; it was the year ending March 31, 1990. For those people out there watching, that was the last time that Treasurer Nixon had control of the books. What the auditor said was Ontario has had only one surplus in the last 20 years, the year ending March 31, 1990. He then goes on to explain how there was a \$3-billion deficit in the first year of the NDP government. He spells it out very clearly. There was no doubt you did not inherit an \$8-billion deficit. If the Premier uses that number again, I will challenge him in this Legislature to come to committee and explain how he got that number, because the Provincial Auditor makes it extremely clear: one surplus in 20 years, the final year of the

Liberal government. I will not stand for the Premier trying to do what I'll call revisionist history.

So I will say in all sincerity, even the Treasurer might acknowledge, had he to do it over again, the first budget of his might have had at least the word "restraint" somewhere in it.

Hon Mr Laughren: You wanted us to spend more.

Mr Phillips: The Treasurer said that we wanted him to spend more. That is not true. If you review all of the hearings, you will find that through the summer months when we reviewed the budget we were saying you should have begun the restraint exercise. You didn't.

Furthermore, in your first budget, Mr Treasurer, you said, "To reduce the deficit we could have increased personal income tax; we could have done that but we believe such moves would have worsened the recession." I would just remind the House that is what you said in your first budget. What happened to the people of Ontario the 1st of July, just three months ago, to every single person in this province? Provincial personal income tax went up by 5%. Yet in the first budget, as you will recall, Treasurer, you said that were you to increase personal income taxes, it would have worsened the recession.

We see the recession continuing to be far worse than the Treasurer certainly had predicted in his budget. We see the recession apparently, rather than getting better as we had been told it would by now in the budget, actually continuing to slide. So I say in terms of managing the economy that the very first budget of this government was a mistake. You may not accept that now. I think most objective observers would say it was a mistake and that was the beginning of it.

Now we see the results of that and we're asking the government to get on with a plan for economic recovery. There are, I guess, four or five elements in the government's plan for economic recovery. These were the elements that were announced perhaps a year ago when the Treasurer and others in the government said: "Here is how we're going to get the economy rolling. We are going to have training as a cornerstone of our economic recovery." In fact, it was a year ago that the Premier said, "We will have the Ontario Training and Adjustment Board." It was in your speech from the throne that you said you would have legislation introduced months ago to establish—the Treasurer has a quizzical expression on his face, but we still do not see legislation on the Ontario Training and Adjustment Board. For members of the government, this was going to be the cornerstone of your economic renewal plan. I don't know where the backbenchers on the government are on this, but I would be demanding to know where the legislation is on this. I believe that this legislation is not even slated to be passed by this House at least until the spring.

So in regard to economic recovery and looking to the government to get the economy going, the whole area of skills development, apprenticeship, the whole area of workplace adjustment and worker adjustment, we don't even have the legislation yet. We haven't even begun to

debate the legislation and this was going to be Premier Rae's cornerstone of economic recovery.

The second piece of the economic recovery plan was to develop better partnerships in the workplace. You can recall the Premier saying often that this is going to be the way we get the economy rolling, partnerships in the workplace. I say to the government that I don't think you could ever find a piece of legislation that has so divided the working community and the employer community in this province as the Ontario Labour Relations Act amendments. Regardless of the merits of the argument on both sides, there is no question, if you've listened to the debate, that both sides are totally polarized on this, yet the Premier talks about developing new partnerships.

Nothing could have been more divisive to the development of those partnerships than the whole way Bill 40 has been handled. You can ram the bill through, and you've certainly rammed the rules through so that you will get the bill through by the end of October, but it has been at an enormous price. I listened to the labour leadership in this province. They have no confidence in the business community, and the business community is equally concerned about the divisive nature of this.

So you've got two camps that you rely on to pull us out of this recession, to develop the plans to get us out of this recession, and without doubt the bill has divided those two camps like never before. So the second element of the economic renewal plan, this whole issue of partnerships, has gone by the board, and I think it's going to be virtually impossible to get those two sides working cooperatively in the near term.

The third element of the economic renewal plan was something called the Ontario investment fund. In Quebec there are examples where pension funds have been used effectively to help develop jobs and help develop the economy. But the way the Ontario investment fund has been handled to date has, I'm afraid, polluted the water. There is an enormous suspicion among the managers of the public sector pensions about how these funds will be used, to the extent that the Ontario Teachers' Federation has sent the government a letter saying it has no interest in participating in the Ontario investment fund. OMERS, the major pension manager of our Ontario municipal employees, has similarly sent a letter. So here we are, the third leg of the economic renewal plan tremendously undermined, and I'm afraid it may have been rendered useless because of the way it has been handled to date.

The fourth area of the economic renewal plan is Jobs Ontario. Again, I have responded often in the House because I think it's time for the government to come clean on Jobs Ontario. The backbenchers have to appreciate there's no new money in Jobs Ontario. What happened was—and you can see it clearly; just get your budget out. Turn towards the back of the budget and you'll see where the \$500 million comes from for the Jobs Ontario Capital. Every single ministry was trimmed back from last year. All of their capital spending was trimmed back—surprise, surprise—by \$500 million, and the Jobs Ontario Capital was created.

I'm not saying to spend more money. I'm just saying, be honest with the people of Ontario. This is not going to create new jobs; it is a public relations exercise. I mentioned earlier in the House that the only new job that's being created by Jobs Ontario Capital is hiring an advertising agency. We saw a big ad: "Please, we want a full-service advertising agency to advertise how we are going to, not spend new money, but redistribute \$500 million."

I've never said to spend more money on the Jobs Ontario Capital. I've said, just come clean with the people of Ontario. As you look at the budget, Mr Speaker, you will find the Jobs Ontario Capital fund and the Jobs Ontario Homes fund, and the base capital spending is actually lower this fiscal year than it was last fiscal year. The Treasurer will know that we, with his assistance, got one of your own government members to send out a correction acknowledging it's not 90,000 new jobs; you're maintaining the same 90,000 jobs you had last year. I appreciate that, but you just can't let the people of Ontario believe there's going to be 90,000 new jobs created. There may be 90,000 jobs—

Hon Mr Laughren: I didn't say that.

1650

Mr Phillips: The Treasurer is nodding, no, no, that's not the case, but one of your own members earlier today—

Hon Mr Laughren: Correct it then.

Mr Phillips: Hansard will show that the member for Sault Ste Marie—

Interjection: Algoma.

Mr Phillips: The member for Algoma said, "We are creating 90,000 new jobs." That's what he said, Treasurer, and that's why I get so angry. You are maintaining 90,000 jobs from last year and that's fine, but it's not new jobs. None of us should be going out and telling the unemployed construction workers in our constituencies that there's a brand-new, huge sum of money. The capital money is the same as it was last year.

That is the fourth element I wanted to talk about on the government's economic renewal plan: the Jobs Ontario Capital fund. It is a public relations exercise and there are a few people in the advertising business who have been employed to help sell it, but those are all the new jobs.

The fifth area, I would say, is the much-ballyhooed worker ownership plan. This is one the Premier still talks about, but the problem with the worker ownership plan is this: What it is, for those who aren't familiar, is the establishment of a venture capital fund subsidized by tax credits to individuals who invest in it. The only people who can run the venture capital fund, designed to invest in businesses in Ontario, are the unions.

Mr Chris Stockwell (Etobicoke West): What a shock.

Mr Phillips: Which is fine.

Hon Mr Laughren: That's not true.

Mr Phillips: Yes, it's true. The Treasurer says it's not true, but Treasurer, you don't know the bill.

Hon Mr Laughren: I do.

Mr Phillips: No, you don't, Treasurer. By law, the only people who can run the venture capital are unions. The problem is that—

Interjection.

Mr Phillips: Now the Treasurer acknowledges that I was right. They are the ones who can run the venture capital fund. What happened? The Ontario Federation of Labour, the big organization in Ontario, has said it doesn't want to do it. The OFL said it doesn't want to be involved in it. I said, "Are you saying you won't be involved in it?" "Yes, we will not be involved in it." So the Premier still goes around saying, "We've introduced this new plan, a venture capital fund for new businesses," and the big organization that can run it says it won't participate in it.

Hon Mr Laughren: So?

Mr Phillips: The Treasurer says, "So?" So it won't do any good.

Hon Mr Laughren: What's your point?

Mr Phillips: The Treasurer is not acknowledging that this bill was designed to create funds to help small business, to capitalize small businesses, and the only group that can run it says it won't get involved in it. The Ontario Federation of Labour won't get involved in it.

The second part of the bill allows employees to purchase a significant portion of their business: a good idea. But what happens? The government designs it in such a way that the Steelworkers—the Steelworkers in this province are the ones, with all due respect, who know the most about it. They know the most about investing in businesses. They've done it in Algoma.

The Steelworkers came to the committee and they said, "We beg you, don't proceed with this bill like this." They took this to their lawyers in the the US because many of the companies they would look to invest in are multinational branches, and the expression they used there was, "We had to peel our lawyers off the ceiling once we explained to them the plan for this worker ownership."

The reason I go through all this is that, firstly, the government made a huge mistake in its first budget. I acknowledge you couldn't have balanced the budget, but the word "restraint" never appears in your budget. That got things off on the wrong foot.

Then there was the second budget you brought out where you said, and the Treasurer in question period today said: "Our budget had three priorities. We are going to take immediate steps to create jobs." I say to you, Treasurer, that you are taking steps to maintain jobs, not to create jobs. "We are controlling the deficit"—

Mr Stockwell: That's a laugh.

Mr Phillips: Well, the problem is—one of the members said, "That's a laugh"—that the deficit—the Treasurer knows we have some concerns even about the \$9.9 billion this year, that you will not be hitting that number.

I will just summarize why we are supporting the motion before us. We believe the government has mismanaged the economy. The finances—and I have a lot of personal respect for the Treasurer—of the province are in a mess.

The economic renewal plan the Premier talks about: I've gone through each of the elements of it and each of them is on the rocks. OTAB: We're at least eight months away from legislation. The OLRA amendments: The Ontario Labour Relations Act amendments designed to develop partnership is perhaps the most divisive piece of legislation we've ever seen. The Ontario investment fund: We found that two of the major groups you're looking to for funds have said they won't participate in it. The worker ownership: The major players don't want to participate in it. Jobs Ontario is not creating new jobs; it is maintaining jobs.

For all those reasons we have come to the conclusion we will support the motion before the House. We will be supporting the non-confidence motion.

Mr Jim Wilson (Simcoe West): I want to rise for just a few moments and express my support for the non-confidence motion that's been put forward by the leader of the Ontario PC party, Mike Harris.

The number one issue in Ontario today is clearly jobs and it's clearly the ability of the government to manage this change, the change in the structuring of our economy and the change in the economic levers of Ontario. The motion here expresses non-confidence in that ability.

The number one question on the streets in my riding is, "How do we get rid of the NDP government?" Let's review for a minute, because I don't think the government understands where my party, today joined by the Liberals, is coming from on the issue of the economy and the issue of job creation.

The Minister of Natural Resources, the member for Algoma, very eloquent and very determined, expressed to this House just a few minutes ago his government's record on job creation. The problem is that the government just doesn't get it. The government in fact, when it comes to job creation and management of the economy, has discovered perpetual motion. You pillage the taxpayers of Ontario and you continue to tax, tax, tax, so that we're the highest-taxed jurisdiction in North America. People, as a result, lose their jobs and then the government, in a humanitarian gesture, says, "Well, we're going to send some of your taxes back to you so that 1.1 million of you can live on welfare and sit at home and do nothing and have no hope or opportunity for employment."

The greatest dignity you can give an individual is the opportunity for a job, the opportunity to be a productive member of our society. The economic mismanagement, mistakes, bailouts, inappropriate spending and the direction this government is going in is leading to what Statistics Canada told us just two weeks ago: 500 jobs a day are being lost across all sectors of the economy.

Let's review: The number one issue is jobs. The number one question is, "How do we get rid of the NDP government?" The government is always looking for solutions from the opposition. Today's non-confidence motion is the best solution I can think of, and that's to get rid of Bob Rae and the lousy and phoney economics of the NDP government.

In the last election, and they continue until today, the NDP felt it had a corner on compassion. When I went to

the doors, people said, "Bob Rae is the only one who understands that I need a job and Bob Rae will be the only one who will be able to protect our jobs." Well, what's the record? The record is that 500 jobs are being lost and the government's only response is false job creation: 1.1 million Ontarians on welfare.

1700

The member for Algoma, the Minister of Natural Resources, cites bailouts. Bailouts are part of the problem, and that's what we're trying to get the government to understand. You can't siphon off all the money in people's pockets—those who are working—put it back in the form of welfare and bailouts and say that's your economic policy; that just won't do. You don't understand that it's the private sector in the small business community in this province that creates meaningful, long-term, well-paying jobs.

Because you have a socialist, ideological disposition which guides all your decision-making, you think that everyone should be poor. So we should all be on welfare. Congratulations; 1.1 million Ontarians are, and you're well on the way to putting the rest of us on welfare.

You want to tax the heck out of the people of Ontario, and you've been doing that with unprecedented tax increases in the last budget and more to come. A list was leaked a couple of weeks ago indicating 62 or 64 new ways to siphon money out of the pockets of the people of Ontario. That's disgusting. It does nothing to give confidence to the investment community and the small business community in Ontario that create the jobs.

Labour law reform: Number one on the hit parade when the government comes back after the summer recess is labour law reform. Overwhelming evidence from all sectors of the economy clearly indicates that the labour law reform as proposed by the government will kill even more jobs. It's already had an effect on investments in Ontario.

I want to quote from just a couple of my constituents in terms of how strongly they feel about these labour law reforms and the effect they will have on the economy. Eugene Peycha, who owns Stuart Ellis Pharmacy in Collingwood, wrote to Bob Rae on September 4:

"I have just finished reading your government's proposed changes to the Ontario Labour Relations Act giving unions unprecedented powers in Ontario. You advertise your government as a social democracy, and yet with these proposals you take away the rights of workers to make an informed choice and the right to change their minds.

"For my part, I intend to wind up my business affairs in the province of Ontario. I was born in Ontario, educated in Ontario, raised my family in Ontario and ran a business in Ontario for the past 20 years. My business employs approximately 20 people, and when I wind up my affairs, these people will be looking for jobs."

He goes on in the letter to state that the reason they'll be looking for jobs is there already are a couple of pharmacies in the Collingwood area and they'll simply absorb the business that his pharmacy was doing; a very good business and a very good citizen of this province, who is being forced to close his business as a direct result of the

economic climate and the mismanagement of the NDP government.

Murray Kerr, vice-president of Arnott Construction in Collingwood, wrote to me three weeks ago:

"Our province is experiencing severe economic problems, problems which demand rational, practical and immediate solutions. In our opinion, the proposed amendments will do nothing to facilitate economic recovery. On the contrary, these reforms will undoubtedly serve to drive investment out of this province and into more profit-generating regions of North America.

"Ontario presently possesses the most comprehensive labour legislation in North America, and while not perfect, these laws do promote industrial harmony and facilitate access to collective bargaining. It is simply inconceivable that the introduction of legislative amendments which discourage potential investors, lead to unemployment and hamper our competitive edge, it is inconceivable that these reforms will create a partnership between business and the labour community."

Charlie Tatham of Tatham and Associates of Collingwood, a highly respected engineering consulting firm in the area, wrote to the NDP member for Simcoe Centre pleading:

"From what I have been able to determine, the proposed legislation is and will be detrimental to private enterprise and in turn to job creation. Surely, in these times your government should be stimulating business and consumer confidence rather than destroying it through such regressive proposals. I would certainly be delighted if it were decided to scrap these changes."

Dave Arnill, president of Seeley and Arnill Aggregates of Collingwood, wrote to me saying:

"We implore the government to listen to the people of Ontario when they say that this legislation will jeopardize the economic viability of this province. We urge the leader of this province to recognize that these concerns stem not from a desire to undermine the NDP government or the trade union movement in general but from a desire to maintain Ontario's competitiveness and improve the economic wellbeing of all Ontarians."

Ontario used to be "Yours to Discover." Now you drive down the road and you see bumper stickers that say, "Ontario, Yours to Recover." If you really want to represent the people of Ontario, if you really want to answer their number one question, which is, "How do we get rid of this government?" you'll support this motion today. The Liberals have joined us in supporting this motion.

I say to the members of the NDP: If you're really good parliamentarians and if you're really doing what the people of Ontario want, then you won't be afraid to call an election on this issue. You won't be afraid to go back to the people and say: "Do you agree with our labour law reforms? Do you agree with the direction we're going in?"

You must be that confident, because you're just driving ahead. You're driving ahead with your labour law reforms, you're driving ahead with your policies that are putting 500 people a day out of work, so I expect you have confidence in those policies. If you have such confidence in those policies, support this non-confidence motion and call

an election today. That's what the people of Ontario want. That's what they deserve. They deserve a government that listens to them and a government that's prepared to create an economic climate so that the private sector can create jobs in this province.

Mr Kimble Sutherland (Oxford): I'm very pleased to participate in this debate. The member who just spoke talked about creating jobs and talked about what we need to do that. The non-confidence motion deals with the issue of management and accuses this government of mismanaging.

I want to say to you, Mr Speaker, that I think we need to look at the record of management of previous governments because the reality of the situation is that previous governments haven't managed issues—for example, if we look in the area of health care and the Minister of Health and her efforts to really provide management to our health care system. How do you provide that management? You provide that by forming partnerships—not partnerships with only a few of the stakeholders in the system; partnerships with all the stakeholders in the system. We are seeing that occur with many of our partners, our transfer agencies, those important groups that deliver services and help to provide those essential services.

I want to talk about a few other things that this government is doing to create prosperity again in the province. Mr Speaker, you will remember that the Minister of Industry, Trade and Technology released a discussion paper on industrial strategy. I don't know if the members in the opposition have read that, but I have and I think it's a very good policy. I believe it's a very good policy document. It's very future-oriented. It looks to the new industries and how to provide a very positive framework for helping economic renewal in this province.

It's not only that ministry. We heard comments about training and apprenticeship. This government is the government that has been working on setting up a formal training system: the Ontario Training and Adjustment Board.

The 42 years of Tory rule in here that were referred to: They didn't make any adjustments to the economy. They just wanted to sit back and let it go on its merry way. If you go back and look at the Premier's Council's report on skills development, which countries do they look for as models for developing a training system? It's not the United States with 12 years of Republican government where you just sit back and let it go on its merry way. The training systems they look to are Japan, Sweden and Germany: successful, modern economies that work on the basis of partnership between business, labour and government to provide the appropriate framework to go forward. Those countries have been going forward. We haven't had that degree of partnership. We haven't had that management from the previous government or from the Conservative government as well.

Reference was made to apprenticeship programs. The Minister of Colleges and Universities announced yesterday how we're going to get the apprenticeship programs back on track because the other governments have let them slip by.

Those are just a few of the initiatives the government is working on and just a few of the issues the government

has been working on. If you're going to have successful economic recovery, you need those partnerships and you need true management of the different issues: government finances and how we're going to go forward on a positive program.

As I read this motion, I was surprised that the leader of the third party would dare put forward a motion, mention all these these terrible job losses and the severe impact they have had on families across this province, and not make one reference to federal government policies, free trade and the dollar, because if you go back and look where the decline started, we know it started with changes in federal government policies.

1710

Interjections.

The Deputy Speaker: Order. Order. The member for Oxford.

Mr Sutherland: Thank you. We also heard references to what 42 years of Tory rule had done, how we had developed a good community college system. Quite right; no doubt about it. It's certainly necessary and has served us well. But we also need to go forward. We have to keep responding to changes.

What I want to say to you, Mr Speaker, and to this House today in terms of dealing with this motion is that there's only one way to do that, and that is through those partnerships. The government has to provide the leadership. This government has been providing the leadership, and what we have been trying to do is to maintain services through very difficult economic times.

I would want to match this government's record on job creation with our neighbours to the south. Let's face it: 12 years of free enterprise government to our south, and what is their economic record? What is their unemployment rate? What is their economic growth record? Let's look at those records. They're not doing any better than us. So what the Treasurer is trying to do in terms of the budget is to maintain services, create jobs, help out the construction industry.

It says here under (c), the loss of jobs, "60,000 jobs in the construction industry." What do you think that figure would be if we hadn't made the commitment to capital in the budget in terms of housing and the other services that are going to be built, that are going to keep people working and make jobs for other people?

This government has been proactive in dealing with the worst recession since the 1930s. It has provided leadership and management. We have also been future-looking in terms of the industrial strategy, in terms of setting up a formal training and adjustment board, in terms of apprenticeship programs, and in terms of many other initiatives that this government is taking to change the economy, to make it stronger, to help us up build the partnerships that work together so we can go forward.

As this recession draws to an end and as we get economic recovery, this province is going to be in better shape because of the things this government has done in terms of creating partnerships for future economic renewal.

Mrs Dianne Cunningham (London North): It's with pleasure that I speak for a couple of minutes to this motion this afternoon.

First of all, directing my comments to the member for Algoma, when we're talking about private enterprise and start using specifics in the House, everyone would agree that private enterprise needs a lot of lead time to get established. So I take objection to the example he used of Ford Motor Co, which I think worked with the Liberal government before your time. Now, they have decided to stay, and that's a good thing; I hope they do stay. But I don't think you should take all the credit for that for your government. I just point that out.

The minister's own words on job creation were "short-term efforts"—I believe I'm being fair—when he talked about the summer jobs for youth in social services, some 5,500, and the Jobs Ontario capital, some 10,000 new jobs. I'm using his numbers. We haven't seen the statistics on whether these jobs became reality this summer, and I'm looking forward to seeing that.

But I will say in the meantime that I noted with interest that he used the words "short-term efforts," and that's not a long-term solution for Ontario. We do need summer jobs, but we also need them provided by the private sector, and they were down considerably this summer due to the economic circumstances in our province.

I'd also like to point to the comments from the member for Scarborough-Agincourt as he bragged about the Liberals increasing—I think he said it was the only government in the last 20 years which had a billion-dollar surplus. Well, the statistics are simply this: When the Liberals were in government, the debt to the future of this province, to the young people of this province, increased by almost \$10 billion. That debt, in their short term of office, went from \$32.9 billion to \$42.3 billion. In just two years of this NDP government, the debt in Ontario, in two budgets, has gone from \$42.3 billion to \$62.75 billion.

I got myself elected because I wanted to be the guardian of the public purse in this province. I thought that was my responsibility. I sit here now watching this thing climb by \$10 billion a year. For any one of us to stand and brag about a billion-dollar surplus, I'm sure even the member for Algoma would think that was irresponsible, given the track record of the last decade. We have to do better.

In closing, I'd like to speak to the member for Oxford. He talked about the government being proactive. It is any government's responsibility to create a climate for government, business and labour to work together to provide jobs in this province. The number one concern of the people watching us this afternoon is that they don't have jobs and that their children don't have jobs. They really do want to work.

To stand here and moan about what happened in the past is not helpful. We're all here together to make things better. We put this motion on the floor today because we really think this government does not have a plan to solve the economic problems of this province. We are watching this government take us and plan to take us into debt by more than \$10 billion a year each year.

I can't see why the government shouldn't recognize what we in opposition are trying to do, and that's to say, "Put your plan for prosperity on the table so the private sector will work in a climate that supports you." They can start by withdrawing at least one of the principles behind Bill 40: They should never say that any company would not be able to replace workers who are on strike so it can keep its business going. It's a principle the public and private sectors need to hear in these times. They should seriously consider and then remove that certain portion of Bill 40, because that is the one that is giving people most trouble, and that's the one that doesn't encourage business to move into this province.

I'm going to stop now by saying just one thing. I do think this government is irresponsible, that it doesn't have a plan and doesn't know where it's going. It is totally out of control. I will be voting in favour of this motion this afternoon.

Mr Paul R. Johnson (Prince Edward-Lennox-South Hastings): I'm honoured to be able to speak to this motion today, but not particularly happy with the motion, Mr Harris's want of confidence motion number 2. I'm going to say at the onset of my delivery that I will not be supporting it.

I want to speak for a few minutes about some of the history of the political parties in Ontario. Mr Harris alluded to the history that the premiers of the past have done such a remarkable and great job for this province. I can't say I agree entirely. I would say it's been a cumulative incompetence over a number of years that has brought us to the situation we find ourselves in today. It hasn't happened overnight. It's been a cumulative thing, and past governments have not been as great as Mr Harris would like us to believe.

Some of the rhetoric we've heard from Mr Harris, the leader of the third party, and some of the other opposition members is the sort of thing that, in my opinion, is fearmongering. The thing that really concerns me is the fact that I think some of the rhetoric we've heard today may very well be the sort of thing the opposition members really believe. That's what's frightening.

Interjections.

The Acting Speaker (Mr Dennis Drainville): Order.
1720

Mr Johnson: The leader of the third party spoke about the loss of jobs. He said that 500 jobs a day are being lost in the province of Ontario. I would pose a question to him. Of course, he's not here now, unfortunately, but I would pose the question to him: Why is that? Some of the rhetoric and fearmongering I was referring to is the fact that the members of the third party and the members of the official opposition have said that it is because of the New Democratic Party being in government in the province of Ontario that these jobs are leaving or that we're losing these jobs, to the tune of 500 daily.

There are many reasons why there are jobs being lost in this province, and the fact that the New Democratic Party is now the government of Ontario is not one of those reasons. There are many reasons. Some of those reasons

have to do with the federal government. Free trade, for example, has really undermined the manufacturing base in the province of Ontario. Indeed, in my town of Napanee, just in the month of August, Emerson Electric changed its status from a manufacturing plant to a warehousing plant. Unfortunately, what that means is that in Napanee, my community of 4,800 people, there is a loss of 140 jobs.

Let me be fair. That's not just because of free trade. It has a lot to do with the economy and the fact that this plant was producing more electric motors than could be sold during this very difficult time. However, because of the free trade agreement, the head office or the main plant in the United States said: "We'll close down that plant in Canada, because we have a plant in the United States that can manufacture those motors. We'll make it a warehouse and we can service Canada from Napanee." Unfortunately, that's been to the detriment of that community, which is in my constituency of Prince Edward-Lennox-South Hastings.

There are some other factors we have to take into consideration that influence what happens here in the province of Ontario, and these are factors that are governed by the federal government. Two of those factors that directly affect us are interest rates and the value of the dollar.

Mr Speaker, I'm sure you would agree that just this past week we saw interest rates go up 2%, and don't think I wasn't surprised, because I was planning to look into reamortizing my mortgage. Unfortunately, I may just wait a little longer now in hopes that these rates come down.

Certainly, jobs are something that we want to see created. This government, through Jobs Ontario, for example, has encouraged the private sector to invest in training, to invest in jobs through Jobs Ontario. It's a difficult time. The economy is particularly bad. It's the worst time the economy has experienced in nearly 60 years. I think we have to clearly understand that where we would encourage the private sector to invest in these jobs, it's having second thoughts. Without a doubt they're having second thoughts, but it has to do with the economy, it has to do with the reality of the situation of their investing and it has to do with the fact that in some areas there aren't a lot of opportunities for creating jobs. Even with this opportunity of taking advantage of the Jobs Ontario Capital fund, there's still some doubt out there within the economic community.

I must say very frankly that I did hear one of the speakers from the official opposition say that jobs were being maintained. I suggest that's not so bad. I mean, better to see jobs maintained than jobs lost altogether, and investments by this government in this province are certainly maintaining jobs in the province of Ontario.

I want to speak about another aspect of governments in days gone by and things they did years and years ago that are affecting us now today. Specifically, I'm talking about Ontario Hydro. We know that people today who are on fixed incomes and people who are on low incomes are very concerned about the cost this government and Ontario Hydro have to pay. Let me say that they're concerned. It isn't because of this government. It isn't because of something this government did. It's something that this government inherited. It inherited, as I said in the very beginning,

the cumulative incompetence of past governments, and we have to deal with that today. Unfortunately, it's very difficult, because of the economy, because of the world situation that's affecting this province.

I just want to conclude by saying that I do not have a want of confidence in this government in the province of Ontario. I have every confidence in this government in the province of Ontario, and I do not support this motion.

The Acting Speaker: Further debate, the member for Lawrence.

Hon Mr Wildman: Oh, the Liberals are back.

Mr Joseph Cordiano (Lawrence): A brief interlude. I just wanted to give the government an opportunity to have more of a say than it normally would be accustomed to right after the Conservatives had their say. We provided them that opportunity in advance, so that's our gift to you, but let me get on to the subject at hand.

Confidence: That's really what we're talking about. I see the Treasurer is here today. Confidence is really the major issue of the day, not just for today but for the entire economy, for the people of this province. It's precisely for this reason that we're having this debate but precisely the reason we're having such difficulty overcoming our economic problems: the lack of confidence. It's a confidence motion we're dealing with, but the lack of confidence that exists out there in the economy is incredible.

Hon Mr Laughren: Where are you taking this?

Mr Cordiano: I say to the Treasurer, we have never seen such a lack of confidence before in this province. People are looking for a direction, a sense of where this jurisdiction is heading, a sense of purposefulness with respect to the economy. They're looking for answers. They're not getting those answers.

I say the government has a direction, a direction which it intends to go to. At times it's often difficult to define what that direction is, because the government seems to be somewhat schizophrenic. On the one hand, they're opposed to Sunday shopping when they're in opposition, and then they turn around and say, "We're going to have a free vote in the House, because that reflects today's reality."

Hon Mr Wildman: Flexibility.

Mr Cordiano: "Flexibility," the member opposite says. Well, that's fine. That's good. But why not have that flexibility with respect to a number of other issues, such as Bill 40, which a lot of thoughtful people have said requires flexibility in order to make it work? In order to support this legislation, a variety of people have said: "Let's have some flexibility built into the legislation. Let's allow for some middle ground." You see this repeatedly with this government, that there is very little flexibility once it makes up its mind. In fact, in a variety of areas we have yet to see a consultation process which works, which is much more extensive with regard to a variety of areas.

Hon Mr Wildman: This is the most extensive consultation process any government has ever had.

Mr Cordiano: Well, you're brought through it kicking and screaming. To get people's views takes an enormous amount of effort on this side to allow for people to

have their say. I know on casino gambling, which has just been introduced, a reversal once again of this party's true purpose, a reversal of fundamental beliefs that were held—

Hon Mr Laughren: No.

Mr Cordiano: Don't say no, Mr Treasurer, because I know that this is a discussion your leader had when he was in opposition with respect to the position he took at that time. It's diametrically opposed with respect to casino gambling—everything that it stands for.

Hon Mr Laughren: I don't remember that.

Mr Cordiano: Oh, in a variety of speeches. I was looking through Hansard to try and bring out some of those things at the last minute here.

Hon Mr Laughren: You couldn't find them, could you?

Hon Mr Wildman: Give one date.

Hon Mr Laughren: Name names.

Hon Mr Wildman: Take a chance.

Mr Cordiano: I'm going to bring that out in another opportunity when we'll have the opportunity to discuss casino gambling at another time when your minister introduces the casino act, which I'm sure is going to be brought forward in this House not too much in the distant future.

Mr Mahoney: You guys would have been apoplectic if we'd introduced casinos. I can just hear you.

The Acting Speaker: Order.

Mr Cordiano: But I think it's important to say that the government really doesn't have a sense of where it's going. It's flip-flopping all over the place with respect to its character. It doesn't have a character. It doesn't have a sense of principle.

Hon Mr Laughren: That hurts, coming from a Liberal.

1730

Mr Cordiano: Well, for those people who were in opposition prior to the last election, who claimed they had principles that they long held, beliefs and values which were long held—I recall the auto insurance debate which was conducted over two elections. I remember the positions taken at the time by the Treasurer who sits here today and by his colleague, the critic at the time, who's no longer in the cabinet but is still a critic of this government.

I say to the Treasurer that these are irreconcilable positions. They can bring forward legislation that says, "We're going to have Sunday shopping." They're going to bring legislation—they allowed for auto insurance to remain intact although there are changes and reforms in Bill 164 and we'll discuss those, I believe, tomorrow or the next day.

I say to the members opposite, to the government, that you've lost your sense of purpose. What's worse is that the economy doesn't have a sense of direction. There is nothing leading or pointing to the creation of more jobs. There is nothing to instil confidence, nothing that you've done with your game plan in your last budget with respect to the announcements that have been made by a variety of ministers. There's nothing to point to a new sense of

direction in the future for this province. That is of fundamental importance.

We should be having a great deal of debate on this. In fact, I would ask the Treasurer today to perhaps appoint a committee that would look at the economy, at areas—and make it an all-party committee, not just a committee—

Hon Mr Wildman: We have one.

Mr Cordiano: Yes, that's in the Legislature, but have a committee go across the province at this time and point out some directions that might be useful for us to take. Then listen to what's being said out there because you have failed to do that; you haven't really done that. You haven't heard people say that this labour legislation is going to be a problem; that the tax measures you've introduced are definitely a problem, that they are inhibiting business out there; that job creation is not occurring because of enormous barriers that have been placed. Perhaps you might say they were there before. Fine. Let's look at working through those barriers. Let's look at working around them. Let's look at putting together a plan that may work, that may entice business to this province and entice people to invest their money here. It's not happening.

In spite of the minister's brave words—the Minister of Industry, Trade and Technology stands up on occasion to announce that there have been X number of jobs created. Five hundred jobs a day are being lost in this province and the number of bankruptcies continues to go on unabated. Those are serious figures. Quite frankly, there is no confidence in this House. The confidence isn't in this House and it isn't out there in the province. The people of this province have very little confidence.

It's up to the government, it's up to those people on that side of the House to start working towards creating a sense of purpose, a sense of direction, a sense of optimism. That's what we call on you to do. You've failed to do that to this point and for that reason I support the motion of non-confidence.

The Acting Speaker: Further debate?

Mr W. Donald Cousens (Markham): First of all I want to compliment the leader of our party, Mr Michael Harris, for bringing forward this motion and giving us an opportunity to speak on one of the most important subjects that confronts Ontario today.

There isn't any doubt that in spite of the fact that we've got a constitutional debate raging and garbage dumps bothering people in Markham, the single largest issue that concerns everybody in this province right now is jobs and the economy, not only for themselves but their children and their families. There isn't a person in this province who doesn't know someone else who is facing severe hardship because of the lack of jobs and the lack of opportunity.

By having this motion today, I know Mr Harris has done us all a favour to focus our attention on this important subject, because when we came back to the Legislature the New Democrats didn't have any new, fresh statement to make on the economy or providing jobs. The best they've done is provide a few casino jobs for the gamblers down in Windsor. But as far as coming down with a

concrete set of proposals that will lead this province into the future with confidence is concerned, a sense of going somewhere and with balance, this government has shown ultimate failure in everything it's done.

There are four elements to Mr Harris's motion which I think are really valid. The first is that investors are discouraged and so are consumers. This government has caused investors to move their money elsewhere, outside of the province of Ontario, and rather than bring their money here, they are looking elsewhere. I know of examples out west and down east, because that's what's happened. Therefore, bring back that confidence for the investor community.

The next point is that they have punished taxpayers. Taxpayers were punished quite a bit by the Liberals beforehand, but the punitive methods of taxation that the NDP has brought in, hurting all levels, are just another example where the taxpayers are having to pay out again and again and again. We are the most heavily taxed jurisdiction, and we shouldn't be. What's happening now is that we're just turning off people. They're saying: "Why live in Ontario? I think I'll move somewhere else." That's tragic. They've built their lives, they've built their homes, they've established their families and their businesses in this province, and this government is driving them out. Mr Harris has touched on that one.

He's also added in this motion the business about the provincial debt. How terrible to live beyond our means the way this government is doing it. The honourable Treasurer really isn't showing the kind of leadership with government spending by allowing spending to continue to increase and allowing the deficit to continue to increase. He doesn't even know how to put together a budget that honestly reflects the needs of the province because we're spending beyond our means, and that is indeed one of the main issues behind this non-confidence vote.

Then what we have is this fourth point in Mr Harris's motion, "creating an environment hostile to the private sector." There isn't a business person in this province who doesn't feel absolutely put down by the New Democrats, by their labour legislation, by the way in which they're coming out with policies and plans. It shows an utter disregard for a balanced economy, for people out there trying to start up a business.

There isn't any doubt that every one of us in this House has an opportunity to show leadership. I would hope that today the New Democrats will look at themselves and realize that this is an opportunity for them to start coming clean with the province. If you don't vote for this motion, maybe you can begin to start changing your policies so that we have a happier and brighter future for the province of Ontario.

The Speaker (Hon David Warner): I thank the honourable member for Markham for his contribution to the debate and recognize the member for Mississauga West.

Mr Mahoney: Thank you very much, Mr Speaker. I'm pleased to join in this debate and to tell you right off the bat that I'll be supporting the motion. Actually, it's the first time I've seen a Tory non-confidence motion that

didn't somehow, in a backhanded way, bash the former Liberal government, so we're able to stand up and say, for once, they're making sense and for once they're being just a little moderate in putting forward the real concern, which is how this government is reacting or not reacting to the current economic crisis that we face.

What I find most interesting is that this becomes a case of accusations and defence on the part of the government. To hear the Minister of Natural Resources actually stand up and start shouting about investments in this province in the automotive industry, which he knows full well occurred before this government took power, and in fact the infrastructure was put in place by the former Minister of Industry, Trade and Technology.

Hon Mr Laughren: No.

Hon Mr Wildman: No.

Mr Mahoney: You can try to take the credit if you want. You can fool some of the people some of the time, but you can't fool us, folks. We know for a fact that those commitments were already on the books.

To stand up and try to pretend there's nothing wrong is just mind-boggling; it really is. It's mind-boggling. Talk to the people. Go back to your constituencies, and I realize that many of your offices aren't open full-time, and talk to the people who have been laid off. Talk to the people who are out of work. They don't understand how a government minister or representative can stand up and pretend everything is all right.

We know there are over 500 people a day losing their jobs in this province, yet what does this government do as far as an economic strategy is concerned? They appoint the guy who ran the last campaign to head the civil service. David Agnew gets a nice, big plum of a job. We all know that he's an NDP party hack, albeit with some talent, but a purely political instrument within this government gets moved to the head of the civil service. Do you think that is sending any kind of message of confidence?

[Applause]

Mr Mahoney: You can applaud if you want. Is it sending any kind of message of confidence to the community at large, to the people in Ontario? They look at it and go, "Wasn't it Bob Rae who used to stand over here and shout from this side of the House at the Tories and the Liberals about"—what did he call it?—"pork-barrelling?" Treasurer, there's no room left in the barrel. You guys have invented a whole new system to put all your pals in positions. You know the problem? We're going to get stuck with having to pay the severance tab to get rid of these guys.

Mr Stockwell: Don't worry about it.

1740

Mr Mahoney: No, listen, I'm rooting for your guy to be Leader of the Opposition. I think he should move up one notch into second place. That would be fine. We'll put these people into third where they truly belong and we'll bring some common sense back.

So they put David Agnew in charge of the civil service. That's scary. That sends a message out there. The Premier was quoted as having said, "We want him there so that we

can fulfil the agenda of this government.” Replace the word “government” with “party.”

We even had one or two rebels today asking questions in this House. It was interesting to hear the member for Welland-Thorold ask the minister of casinos if she had checked with the party. Imagine that: “Did you check with the rank and file in the party about this casino?” Not, “Did you check with the people of Ontario?” They don’t understand that once you’re elected you’re required to deal with all of the people. In my riding I represent the New Democrats and the Conservatives and the apolitical people who live there.

Hon Mr Wildman: No, you don’t.

Mr Mahoney: I sure do. I represent all of the people. That’s what this government is supposed to do.

It was the Premier, when he came in all gushy and pink-faced, who said that finally it was a government that would represent all the people and yet we have a member of the back bench asking a cabinet minister if she checked with the rank and file of the party. You see, fundamentally that’s the problem. The people of Ontario believe that you people are governing for the members of your party, the élite in the NDP. They think you’re governing for the labour leaders in this province and they think that you’re having your chain pulled by special interest groups.

They think that; we didn’t have to tell them that, Bud. It was they who came and said: “Look, why are they doing this? Why are they introducing Bill 40 at a time of economic disaster? They stand up and talk about all this investment that’s going on.” Talk about the people over 50 who have lost their jobs. Talk about the people who can’t make their mortgage payments. Talk about the people in this province who can’t feed their kids. They were going to eliminate food banks. What have they done? They’ve institutionalized food banks. They’ve done absolutely everything opposite to what they had said.

We live in an atmosphere of crisis; they bring in Bill 40. Bill 80 is a bill that hasn’t yet had much attention. It’s very interesting how the Minister of Labour is trying to attack and take over some of the autonomy within the labour movement. Members within the labour movement are coming to us, saying, “We’re upset about some aspects of Bill 40, but we’re damn mad about Bill 80,” and that’s an issue that’s going to come.

What we need to have from this government is some indication that it understands the severity of the economic crisis that we live in and some indication that it has just a modicum of ability to try to deal with it.

The Speaker: I don’t believe there is any more time remaining for the third party. The final speaker in this debate is the Treasurer.

Hon Mr Laughren: I always enjoy non-confidence motions. I sometimes think I enjoyed them more when I was placing them when I was in opposition. Nevertheless, I enjoy them because they do allow all members a chance to express their feelings about government. It’s not very often that they put their thoughts into words about the good jobs we’re doing. Surely, we can’t be all bad. There

are some things we’ve done that have been very good indeed.

I do think what needs to be put in perspective, however, is the state of the Ontario economy. Let’s stop pretending, on all sides, that the problem of the recession is restricted to the province of Ontario. We all know that there are serious problems in Europe, there are serious problems in Japan, there are serious problems in the United States. So the exaggerated rhetoric, particularly of the third party, doesn’t convince anybody of anything. Sure there are serious problems in this province, as there are in other jurisdictions. But we’re going to work our way through it.

We know that there’s uncertainty, partly because of what’s gone on in Europe with the Maastricht treaty, the uncertainty around that. There’s an election in the United States. Japan has had its problems. We’ve got a referendum coming up in the province of Ontario. So of course there’s some uncertainty and of course we are in a recession that’s the worst since the 1930s, but I haven’t heard any fairminded person, any objective person, suggest that a recession that started in 1989 and 1990 was caused by a government that was elected in the latter part of 1990. I haven’t heard any fairminded person say that.

Also, the leader of the third party who put this non-confidence motion forgot—I’m sure he forgot. It had to be inadvertent that he didn’t mention at all any federal policies that just might have had some bearing on the state of the Ontario economy. He forgot it entirely. No mention of the free trade agreement, no mention of the GST, no mention of the value of the dollar or interest rates in the last couple of years. He forgot. I think he needs a new speechwriter and he’s got to get somebody besides Moe Mantha writing his speeches. I offer that advice to him.

There’s no question that other jurisdictions comparable to Ontario have also had serious problems, whether it’s the jurisdictions in the United States—Michigan, New York, Massachusetts—those places have had difficulty as well in proportion to their size to the problems that Ontario has had. So let’s stop pretending that all the problems have found a home here in Ontario. It’s not unique to this province.

We have indeed put in place some policies that will make us well placed as we come out of this recession and take part in the recovery in which Canada and Ontario are going to lead the industrialized world. Those are not my views. Those are the views of the Organization for Economic Co-operation and Development. So we are going to be well placed and we are thinking ahead. We have put in place tax changes that will make sure that happens. Nobody mentioned the tax changes in the last budget which will encourage investment, research and development and innovation. Very clearly we made a very serious effort at that. We are putting a lot of money in training, almost \$1 billion in training. That’s a significant amount, a 24% increase over last year.

The motion put by the leader of the third party talks about policies that have discouraged investors and consumers. The members opposite can say that some of these decisions were made before. Of course, they were made

before now but those decisions could have been reversed too, but were they? No. Ford Motor, \$1 billion in Windsor, \$500 million in Oakville; Sandoz, \$14 million for expansion. It goes on and on and on. There is major investment being made in this province despite the exaggerated rhetoric of the opposition.

So let's put it all in perspective. This is still the best place anywhere to live, work and, dare I say it, play.

The leader of the third party says that we punish taxpayers by imposing multibillion-dollar tax grabs. I don't know of any other government that in a time of recession would have put the investment into the preservation of essential services in health care, education and social services that this government has. No other government would have done that.

At the same time the opposition says that we've spent too much and taxed too much, but they keep demanding more themselves. And then, to top it all off, the leader of the third party today stood in his place in his opening remarks and said we have a \$1.2-billion stabilization claim owing to us under the fiscal arrangements with the federal government. The leader of the third party says, "Don't ask for it." Don't ask for that which you are entitled, despite the cutbacks.

Mr Harris: It's not what I said.

Hon Mr Laughren: That is absolutely what the member said. He's making fun of us for making demands for what we are entitled to.

When I think of what the federal government has done to transfer payments to the province of Ontario, with its cap on CAP and its restrictions on established programs funding, for the leader of the third party to defend the Mulroney Tories in Ottawa by saying we are not entitled to that claim is simply outrageous. He owes the taxpayers of this province an apology for that comment. Absolutely.

The leader of the third party says that we're anti-business. What a ludicrous charge to say that we are anti-business. We have put in place more pro-business programs than he would ever, ever be aware of. I understand that. But the leader of the third party says we're being hostage to special interest groups. Do you know who the leader of the third party thinks we're being held hostage by, these special interest groups? I assume he means women, minorities, working people and the business community.

I have never in my 20 years here heard such anti-worker diatribes as I've heard from the third party in the last year. The leader of the third party disguises his anti-worker diatribe by pretending it's against unions. Unions represent ordinary working people out there. Stop pretending that these are not attacks on ordinary working women in this province of Ontario, because that's exactly what they are. That message will not be lost on ordinary folks out there across this province either. They know who you're really attacking.

I wish I had more time, but I can tell you that this government has struggled, along with a lot of people in the province of Ontario. I can tell you that we have confidence in the province of Ontario and the ability of the business

community and the people in this province to return all of us to a prosperous and equitable tomorrow.

I encourage all members, especially the members of the official opposition, to reconsider their position on this non-confidence motion and realize that what we've done in this province by making a firm commitment to job creation and to preserving essential services is the best that can be expected of any government in difficult times.

Interjections.

The Speaker: Order.

Mr Murray J. Elston (Bruce): It's my understanding that the mover of the motion usually has some time to wrap up. Is it not now time for the leader of the third party to counter some of those—

The Speaker: For another day, on another occasion. You were right on the rules earlier, but not on this one.

The division bells rang from 1755 to 1800.

The Speaker: Would all members please take their seats.

Mr Elston: Mr Speaker, could you read the motion, please, because I—

The Speaker: You want the motion read?

Mr Elston: Yes, please, Mr Speaker.

The Speaker: The motion before the House is want of confidence motion number 2. It's standing in the name of Mr Harris:

"That this House, noting that since this government has taken office it has pursued policies which have discouraged investors and consumers and punished taxpayers and which have compounded rather than ameliorated the economic problems facing the province by imposing multibillion-dollar tax grabs, by adding billions to the provincial debt, by pursuing an anti-business agenda as expressed through its biased and unbalanced labour law reforms, by creating an environment hostile to the private sector and by showing itself to be hostage to the special interest groups as opposed to an advocate for the public interest, and further noting since this government took office two years ago:

(a) that more than 290,000 additional Ontario workers have been forced on to unemployment,

(b) that the unemployment rate has increased by more than five percentage points,

(c) that 86,000 jobs in manufacturing, 60,000 jobs in the construction industry and 24,000 jobs in the trade sector have vanished,

(d) that the welfare case load has increased to the point where today more than one million Ontarians depend on welfare,

finds that this government is incapable of managing the economy of the province in a manner which will create new jobs, new opportunities and lower taxes and therefore this government lacks the confidence of this House."

Will those members who are in support of the motion please rise one by one.

Ayes—31

Arnott, Callahan, Carr, Cordiano, Cousens, Cunningham, Curling, Eddy, Elston, Eves, Grandmaitre, Harris, Henderson, Jackson, Mahoney, Mancini, Marland, McGuinty, McLean, Miclash, Morin, Murdoch (Grey), O'Neill (Ottawa-Rideau), Phillips (Scarborough-Agincourt), Poirier, Ramsay, Runciman, Sterling, Stockwell, Turnbull, Wilson (Simcoe West).

The Speaker: Those opposed to Mr Harris's motion will please rise one by one.

Interjection.

The Speaker: Order. Will the member for Rainy River please take his seat.

Mr Elston: Mr Speaker, I noted that the Attorney General was on his feet when you called for those in support of the motion. He must be counted as having been in support of the motion.

The Speaker: No. The member was not in his seat.

Interjections.

The Speaker: Order. Would the member take his seat, please. As always, as is my custom, I look to both sides of the House to see if any member is supporting "yes" or "no." I did look to this side. The member in question, while standing, was out of his seat and therefore is not entitled to a vote. He has now properly resumed his seat and I am asking for those who are opposed to the motion. We'll continue with the vote.

Nays—67

Abel, Akande, Allen, Bisson, Boyd, Buchanan, Carter, Charlton, Christopherson, Churley, Cooke, Cooper, Coppen, Drainville, Duignan, Farnan, Ferguson, Fletcher, Frankford, Gigantes, Grier, Haeck, Hampton, Hansen, Harrington, Haslam, Hayes, Hope, Huget, Johnson, Klopp, Kormos, Lankin, Laughren, Lessard, MacKinnon, Malkowski;

Mammoliti, Marchese, Martel, Martin, Mathysen, Mills, Morrow, North, O'Connor, Owens, Perruzza, Pilkey, Pouliot, Rizzo, Silipo, Sutherland, Swarbrick, Ward (Brantford), Ward (Don Mills), Wark-Martyn, Waters, Wessenger, White, Wildman, Wilson (Frontenac-Addington), Wilson (Kingston and The Islands), Winninger, Wiseman, Wood, Ziembra.

Motion negatived.

The Speaker: Pursuant to standing order 33, the question that this House do now adjourn is deemed to have been made.

The member for Lawrence served notice that he was dissatisfied with the answer to his question which he posed to the Minister of Energy.

Interjections.

The Speaker: I'm sorry; it's the member for Ottawa South. The member might wish to wait just a few seconds until the calm has taken over. Then he has up to five minutes for his presentation, and the Minister of Energy has up to five minutes for his response.

Interjections.

The Speaker: Order.

Mr Elston: On a point of order, Mr Speaker: I realize that members do not want to listen to this late show, that there's been almost a total lack of interest in the real story going on around here, but to have people assembling around the table, it seems to me, when they should get out of here if they don't want to listen, is a little bit too difficult. It's a five-minute speech that's coming on, and a five-minute defence. Let's listen to it.

The Speaker: To the member for Bruce, he will note that I allowed a little bit of time before so that the member isn't penalized. Indeed his request, I think, has been met. The member now has five minutes.

ONTARIO HYDRO PRESIDENT

Mr Dalton McGuinty (Ottawa South): I want to take this opportunity to raise a number of issues of concern to me, to my colleagues and I'm sure to the people of this province. This is a very serious matter, and I want to allow, as well, the minister an opportunity to try to explain some of the incongruities which have become so apparent to us over the last few days as a result of questions and responses in this House, as a result of articles appearing in the newspapers.

If I could list the sequence of important facts in this case again, first of all, some time prior to the minister writing a letter on September 16, he had a discussion with the chairman of Ontario Hydro, Marc Eliesen. We have not yet been made privy to what took place in that discussion, but in any event, something prompted this letter and the letter was sent. With respect to the letter dated September 16, 1992, signed by the minister, it's directed to Marc Eliesen and it indicates that it was written in order to follow up on a discussion. It speaks specifically about selecting a new president and chief operating officer.

1810

It is simply impossible to talk about selecting a new president and not, by logical inference, be talking about getting rid of the old president. The logical inference is that Holt was going. Also, the minister indicated in his letter that this was to be raised in a timely way, so there was obviously some sense of urgency to this matter. Then there was the board meeting of Friday, September 25. All the directors attended that meeting, save for Mr Holt, who was away in Spain.

The minister may not be aware of this, but there were two resolutions put forward at that meeting. One was that Mr Holt be suspended immediately and that the board enter into negotiations for his termination; secondly, that Mr Eliesen be given authority to appoint an acting president. There was a heated debate that followed. Many of the members felt that Mr Holt should be given an opportunity to respond to the discussion that was ongoing, but he was away in Spain and it was impossible for him to do that. He was unaware of what was going on.

The letter was used for two purposes: first of all, to reveal to the board members how it was that the minister felt, that Mr Holt had to go; secondly, for the purpose of influencing the directors into firing Mr Holt. The letter met with success in that regard. In fact, at the end of the day

when a vote was taken, the result was seven to five in favour of firing Mr Holt. Of course, the deputy minister who was there as a result of this government's changes to the Power Corporation Act through Bill 118 was present and oversaw all of this, and of course it was his solemn duty to report to the minister on what it was he saw there at the time.

Then, on September 30 in this Legislature, the minister tells us that he had no input into the actions of the board when they fired the president on September 25. It's only reasonable to assume that the deputy minister had reported to the minister by that time. Surely the deputy minister would have reported that the president and chief operating officer had been fired prior to this point. If the deputy minister didn't report this, then he, himself, should be dismissed.

Also on September 30, an article in the Toronto Sun reveals to us that the minister did not know—he says he did not know—that he had suddenly departed from Ontario Hydro, to use the wording that's found in this article. Secondly, he maintained that Mr Holt was retiring and was not fired.

There are some matters here which are difficult to reconcile, and I'll put these to the minister.

First of all, he did not have any input to the board. How does he reconcile that with the fact that he had earlier sent a letter to the board which was in fact used to fire the president? That letter spoke of a new president, and by implication that meant the existing president had to go.

Secondly, he subsequently said that he was unaware of Holt's departure, but his deputy minister had been present at the board meeting some four days earlier.

Thirdly, he contends that Holt was not fired, but there had been a resolution introduced. There was a vote. Holt was in Spain at the time. The man was fired. The deputy minister was there and he either told the minister that he was there or he did not.

The Speaker (Hon David Warner): The member's time has expired.

Mr McGuinty: In either case, the minister has a problem. How do we reconcile those?

The Speaker: The Minister of Energy has up to five minutes for a response.

Hon Brian A. Charlton (Minister of Energy): There has been a fair bit of discussion here in the House today about integrity. The member for Ottawa South stood in this House this afternoon and talked about how, "I want to lay down the facts for all to know." The Leader of the Opposition stood in her place in this House and made accusations which are not factual. The member for Lanark-Renfrew stood in his place in this House and made accusations which are not factual.

Mr Stephen Owens (Scarborough Centre): And he got tossed out.

Hon Mr Charlton: And the member for Ottawa South is in fact doing the same thing here this evening.

Interjections.

Mr Bill Murdoch (Grey): They tossed the wrong person out.

The Speaker: Order.

Hon Mr Charlton: I'd like to lay out a sequence of events which are factual and to address the question of the letter to which the member refers and others have referred here in the House, and to address that letter as clearly as I can.

Firstly, prior to September 16, in a discussion with the chair of Ontario Hydro, I was informed about a number of matters that would be going to the board, including a range of succession issues, management issues and operational issues, which included the question of the presidency of Ontario Hydro. Those were issues that the management at Hydro, the chair at Hydro, already intended to deal with at the board at Hydro.

Having had that discussion, as I said here this afternoon both in the House and outside to the media, because of a circumstance we had a year and a half ago that members will recall was raised here in the House as well, I thought it was in the best interests of the people of this province and the crown corporation known as Ontario Hydro that the new chair, if and when he or she is appointed, has some ability to have discussion with the board of Ontario Hydro about the president.

It's been suggested that I wrote this letter to direct the board. The members are all fully aware that in Bill 118 this government clearly sets out the process by which the minister, the government, directs Ontario Hydro by order in council. This minister wrote this letter and very purposely included in the letter the last paragraph on the first page, which clearly sets out the board's authority, and only the board's authority, to deal with the question of the president.

If I was intending to force a decision on the board by this letter, why would I bother to take the time to point out to the board that it was its authority and its alone to deal with the question of the president? The reality is that the people of Ontario are interested in real facts, not accusations that aren't correct about firings that never occurred.

On September 28, after the board meeting, my deputy and the chair of Hydro both informed me that they had been given authorization by the board to begin discussions with the president about retirement. That's the only authority I'm aware of that was granted at that board meeting. In spite of what the member for Ottawa South, the Leader of the Opposition and the member for Lanark-Renfrew say, Mr Holt has not been fired by the board of Ontario Hydro by any motion or any vote.

Mr Murdoch: How big a hole are you going to dig? You don't need to dig that big a hole.

Mr Murray J. Elston (Bruce): Has anybody got a bigger shovel?

Mr Murdoch: He doesn't need a bigger shovel.

The Speaker: Order, member for Grey.

Hon Mr Charlton: The role of this minister and the role of this government is responsibility for Ontario Hydro. We have difficult circumstances to face at Ontario Hydro as we move into the future, circumstances around

rates, circumstances around a huge list of capital issues that have to be resolved in terms of expenditures and the impact of those on rates, and it is our responsibility to attempt to ensure that the management team of Ontario Hydro is capable of working together in the most effective way possible to deal with those issues. My letter to

the board was about the process, not the board's decision to deal with the question of the president.

The Speaker: There being no further matter to be debated, I deem the motion to adjourn to have been carried. This House stands adjourned until 1:30 of the clock tomorrow.

The House adjourned at 1819.

ERRATUM

Please note that the page numbers in issues 59, 60 and 61, beginning with 2239 and ending with 2348, are incorrect by being 100 lower than should be the case. Therefore, they duplicate numbers in issues 55, 56 and 57. In the index for this session the page numbers in issues 59, 60 and 61 will be followed by A, B or C to differentiate them from the same page numbers in 55, 56 and 57.

**LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor/Lieutenant-gouverneur: Lt Col The Hon/L'hon Henry N. R. Jackman CM, KStJ, BA, LLB, LLD

Speaker/Président: Hon/L'hon David Warner

Clerk/Greffier: Claude L. DesRosiers

Clerk Assistant and Clerk of Committees/Greffier adjoint et Greffier des comités: Smirle Forsyth

Clerk Assistant and Clerk of Journals/Greffier adjoint et Greffier des journaux: Alex D. McFedries

Sergeant at Arms/Sergent d'armes: Thomas Stelling

Constituency	Name of member	Party	Other responsibilities
Algoma	Wildman, Hon/L'hon Bud	ND	Minister of Natural Resources, minister responsible for native affairs/ministre des Richesses naturelles, ministre délégué aux Affaires autochtones
Algoma-Manitoulin	Brown, Michael A.	L	Chair, standing committee on general government/ Président du Comité permanent des affaires gouvernementales
Beaches-Woodbine	Lankin, Hon/L'hon Frances	ND	Minister of Health, minister responsible for the substance abuse strategy/ministre de la Santé, ministre responsable de la Stratégie de prévention de la toxicomanie
Brampton North/-Nord	McClelland, Carman	L	Vice-Chair, standing committee on general government/ Vice-Président du Comité permanent des affaires gouvernementales
Brampton South/-Sud	Callahan, Robert V.	L	
Brant-Haldimand	Eddy, Ron	L	
Brantford	Ward, Brad	ND	parliamentary assistant to Minister of Industry, Trade and Technology/adjoint parlementaire du ministre de l'Industrie, du Commerce et de la Technologie
Bruce	Elston, Murray J.	L	opposition House leader/ chef parlementaire de l'opposition
Burlington South/-Sud	Jackson, Cameron	PC	Chair, standing committee on estimates/ Président du Comité permanent des budgets des dépenses
Cambridge	Farnan, Mike	ND	Vice-Chair, standing committee on the Legislative Assembly/ Vice-Président du Comité permanent de l'Assemblée législative
Carleton	Sterling, Norman W.	PC	
Carleton East/-Est	Morin, Gilles E.	L	Deputy Speaker and Chair of the Committee of the Whole House/ Vice-Président et Président du Comité plénier de l'Assemblée législative
Chatham-Kent	Hope, Randy R.	ND	parliamentary assistant to Minister of Community and Social Services/adjoint parlementaire du ministre des Services sociaux et communautaires
Cochrane North/-Nord	Wood, Len	ND	parliamentary assistant to Minister of Natural Resources/ adjoint parlementaire du ministre des Richesses naturelles
Cochrane South/-Sud	Bisson, Gilles	ND	parliamentary assistant to Minister of Northern Development and Mines, parliamentary assistant to minister responsible for francophone affairs/adjoint parlementaire de la ministre du Développement du Nord et des Mines, adjoint parlementaire du ministre délégué aux Affaires francophones
Cornwall	Cleary, John C.	L	
Don Mills	Ward, Margery	ND	parliamentary assistant to Minister of Government Services/ adjointe parlementaire du ministre des Services gouvernementaux
Dovercourt	Silipo, Hon/L'hon Tony	ND	Minister of Education/ministre de l'Éducation
Downsview	Perruzza, Anthony	ND	parliamentary assistant to minister responsible for the greater Toronto area/adjoint parlementaire de la ministre responsable du Bureau de la région du grand Toronto
Dufferin-Peel	Tilson, David	PC	
Durham Centre/-Centre	White, Drummond	ND	Chair, standing committee on regulations and private bills/ Président du Comité permanent des règlements et des projets de loi privés
Durham East/-Est	Mills, Gord	ND	parliamentary assistant to Minister of Municipal Affairs/ adjoint parlementaire du ministre des Affaires municipales
Durham West/-Ouest	Wiseman, Jim	ND	parliamentary assistant to Minister of Revenue/ adjoint parlementaire de la ministre du Revenu
Durham-York	O'Connor, Lawrence	ND	parliamentary assistant to minister responsible for the substance abuse strategy/adjoint parlementaire de la ministre responsable de la Stratégie de prévention de la toxicomanie
Eglinton	Poole, Dianne	L	
Elgin	North, Hon/L'hon Peter	ND	Minister of Tourism and Recreation/ ministre du Tourisme et des Loisirs
Essex-Kent	Hayes, Pat	ND	parliamentary assistant to Minister of Agriculture and Food/ adjoint parlementaire du ministre de l'Agriculture et de l'Alimentation
Essex South/-Sud	Mancini, Remo	L	Chair, standing committee on public accounts/ Président du Comité permanent des comptes publics

Constituency	Name of member	Party	Other responsibilities
Etobicoke-Lakeshore	Grier, Hon/L'hon Ruth A.	ND	Minister of the Environment, minister responsible for the greater Toronto area/ministre de l'Environnement, ministre responsable du Bureau de la région du grand Toronto
Etobicoke-Humber	Henderson, D. James	L	
Etobicoke-Rexdale	Philip, Hon/L'hon Ed	ND	Minister of Industry, Trade and Technology/ ministre de l'Industrie, du Commerce et de la Technologie
Etobicoke West/-Ouest	Stockwell, Chris	PC	
Fort William	McLeod, Lyn	L	Leader of the Opposition/chef de l'opposition
Fort York	Marchese, Rosario	ND	parliamentary assistant to the Premier, parliamentary assistant to Minister of Intergovernmental Affairs/adjoint parlementaire du premier ministre, adjoint parlementaire du ministre des Affaires intergouvernementales
Frontenac-Addington	Wilson, Hon/L'hon Fred	ND	Minister of Government Services/ ministre des Services gouvernementaux
Grey	Murdoch, Bill	PC	
Guelph	Fletcher, Derek	ND	parliamentary assistant to Minister of Consumer and Commercial Relations/adjoint parlementaire de la ministre de la Consommation et du Commerce
Halton Centre/-Centre	Sullivan, Barbara	L	
Halton North/-Nord	Duignan, Noel	ND	Chair, standing committee on the Legislative Assembly/ Président du Comité permanent de l'Assemblée législative
Hamilton Centre/-Centre	Christopherson, Hon/L'hon David	ND	Minister of Correctional Services/ministre des Services correctionnels
Hamilton East/-Est	Mackenzie, Hon/L'hon Bob	ND	Minister of Labour/ministre du Travail
Hamilton Mountain	Charlton, Hon/L'hon Brian	ND	Minister of Financial Institutions, Minister of Energy/ ministre des Institutions financières, ministre de l'Énergie
Hamilton West/-Ouest	Allen, Hon/L'hon Richard	ND	Minister of Colleges and Universities, Minister of Skills Development/ministre des Collèges et Universités, ministre de la Formation professionnelle
Hastings-Peterborough	Buchanan, Hon/L'hon Elmer	ND	Minister of Agriculture and Food/ ministre de l'Agriculture et de l'Alimentation
High Park-Swansea	Ziemba, Hon/L'hon Elaine	ND	Minister of Citizenship, minister responsible for human rights, disability issues, seniors' issues and race relations/ministre des Affaires civiques, ministre déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales
Huron	Klopp, Paul	ND	parliamentary assistant to Minister of Agriculture and Food/ adjoint parlementaire du ministre de l'Agriculture et de l'Alimentation
Kenora	Miclash, Frank	L	opposition deputy whip/whip adjoint de l'opposition
Kingston and The Islands/ Kingston et Les Îles	Wilson, Gary	ND	parliamentary assistant to Minister for Skills Development/ adjoint parlementaire du ministre de la Formation professionnelle
Kitchener	Ferguson, Will	ND	parliamentary assistant to Minister of Transportation/ adjoint parlementaire du ministre des Transports
Kitchener-Wilmot	Cooper, Mike	ND	parliamentary assistant to the Solicitor General; deputy government whip; Chair, standing committee on administration of justice/ adjoint parlementaire du Solliciteur général, whip adjoint du gouvernement, Président du Comité permanent de l'administration de la justice
Lake Nipigon/Lac-Nipigon	Pouliot, Hon/L'hon Gilles	ND	Minister of Transportation, minister responsible for francophone affairs/ministre des Transports, ministre délégué aux Affaires francophones
Lambton	MacKinnon, Ellen	ND	Vice-Chair, standing committee on regulations and private bills/ Vice-Présidente du Comité permanent des règlements et des projets de loi privés
Lanark-Renfrew	Jordan, W. Leo	PC	
Lawrence	Cordiano, Joseph	L	Vice-Chair, standing committee on public accounts/ Vice-Président du Comité permanent des comptes publics
Leeds-Grenville	Runciman, Robert W.	PC	Chair, standing committee on government agencies/ Président du Comité permanent des organismes gouvernementaux
Lincoln	Hansen, Ron	ND	Chair, standing committee on finance and economic affairs/ Président du Comité permanent des finances et des affaires économiques
London Centre/-Centre	Boyd, Hon/L'hon Marion	ND	Minister of Community and Social Services, minister responsible for women's issues/ministre des Services sociaux et communautaires, ministre déléguée à la Condition féminine
London North/-Nord	Cunningham, Dianne	PC	Progressive Conservative chief whip/ whip en chef du Parti progressiste-conservateur
London South/-Sud	Winninger, David	ND	parliamentary assistant to the Attorney General, parliamentary assistant to minister responsible for native affairs/ adjoint parlementaire du Procureur général, adjoint parlementaire du ministre délégué aux Affaires autochtones

Constituency	Name of member	Party	Other responsibilities
Markham	Cousens, W. Donald	PC	Progressive Conservative deputy House leader/ chef parlementaire adjoint du Parti progressiste-conservateur
Middlesex	Mathysen, Irene	ND	parliamentary assistant to Minister of the Environment/ adjointe parlementaire de la ministre de l'Environnement
Mississauga East/-Est	Sola, John	L	
Mississauga North/-Nord	Offer, Steven	L	
Mississauga South/-Sud	Marland, Margaret	PC	Vice-Chair, standing committee on estimates/ Vice-Présidente du Comité permanent des budgets des dépenses
Mississauga West/-Ouest	Mahoney, Steven W.	L	opposition chief whip/whip en chef de l'opposition
Muskoka-Georgian Bay	Waters, Daniel	ND	parliamentary assistant to Minister of Tourism and Recreation/ adjoint parlementaire du ministre du Tourisme et des Loisirs
Nepean	Daigeler, Hans	L	Vice-Chair, standing committee on social development/ Vice-Président du Comité permanent des affaires sociales
Niagara Falls	Harrington, Margaret H.	ND	parliamentary assistant to Minister of Housing/ adjointe parlementaire de la ministre du Logement
Niagara South/-Sud	Coppen, Hon/L'hon Shirley	ND	Minister without Portfolio, chief government whip/ ministre sans portefeuille, whip en chef du gouvernement
Nickel Belt	Laughren, Hon/L'hon Floyd	ND	Deputy Premier, Treasurer of Ontario and Minister of Economics/ vice-premier ministre, Trésorier de l'Ontario et ministre de l'Économie
Nipissing	Harris, Michael	PC	leader of the Progressive Conservative Party/ chef du Parti progressiste-conservateur
Norfolk	Jamison, Norm	ND	parliamentary assistant to Minister of Industry, Trade and Technology/du ministre de l'Industrie, du Commerce et de la Technologie
Northumberland	Fawcett, Joan M.	L	
Oakville South/-Sud	Carr, Gary	PC	
Oakwood	Rizzo, Tony	ND	
Oriole	Caplan, Elinor	L	
Oshawa	Pilkey, Hon/L'hon Allan	ND	Solicitor General/Solliciteur général
Ottawa Centre/-Centre	Gigantes, Hon/L'hon Evelyn	ND	Minister of Housing/ministre du Logement
Ottawa East/-Est	Grandmaître, Bernard C.	L	
Ottawa-Rideau	O'Neill, Yvonne	L	
Ottawa South/-Sud	McGuinty, Dalton J.P.	L	
Ottawa West/-Ouest	Chiarelli, Robert	L	
Oxford	Sutherland, Kimble	ND	parliamentary assistant to Minister of Colleges and Universities; Vice-Chair, standing committee on finance and economic affairs/ Vice-Président du Comité permanent des finances et des affaires économiques, adjoint parlementaire du ministre des Collèges et Universités
Parkdale	Ruprecht, Tony	L	
Parry Sound	Eves, Ernie	PC	Progressive Conservative House leader/ chef parlementaire du Parti progressiste-conservateur
Perth	Haslam, Hon/L'hon Karen	ND	Minister of Culture and Communications/ ministre de la Culture et des Communications
Peterborough	Carter, Jenny	ND	parliamentary assistant to Minister of Citizenship/ adjointe parlementaire de la ministre des Affaires civiles
Port Arthur	Wark-Martyn, Hon/L'hon Shelley	ND	Minister of Revenue/ministre du Revenu
Prescott and Russell/ Prescott et Russell	Poirier, Jean	L	
Prince Edward-Lennox-South Hastings/ Prince-Edward- Lennox-Hastings-Sud	Johnson, Paul R.	ND	parliamentary assistant to the Treasurer of Ontario and Minister of Economics/adjoint parlementaire du Trésorier de l'Ontario et du ministre de l'Économie
Quinte	O'Neil, Hugh P.	L	
Rainy River	Hampton, Hon/L'hon Howard	ND	Attorney General/Procureur général
Renfrew North/-Nord	Conway, Sean G.	L	Deputy Leader of the Opposition/chef adjoint de l'opposition
Riverdale	Churley, Hon/L'hon Marilyn	ND	Minister of Consumer and Commercial Relations/ ministre de la Consommation et du Commerce
S-D-G & East Grenville/ S.-D.-G. & Grenville-Est	Villeneuve, Noble	PC	Second Deputy Chair of the Committee of the Whole House/ Deuxième Vice-Président du Comité plénier de l'Assemblée législative
St Andrew-St Patrick	Akande, Zanana	ND	parliamentary assistant to the Premier/adjoint parlementaire du premier ministre
St Catharines	Bradley, James J.	L	opposition deputy House leader/chef parlementaire de l'opposition
St. Catharines-Brock	Haeck, Christel	ND	government whip; Vice-Chair, standing committee on the Ombudsman/ whip du gouvernement, Vice-Présidente du Comité permanent de l'ombudsman
St. George-St. David	Vacant		

Constituency	Name of member	Party	Other responsibilities
Sarnia	Huget, Bob	ND	parliamentary assistant to Minister of Energy; Vice-Chair, standing committee on resources development/ adjoint parlementaire du ministre de l'Énergie, Vice-Président du Comité permanent du développement des ressources
Sault Ste Marie/ Sault-Sainte-Marie	Martin, Tony	ND	parliamentary assistant to Minister of Education/ adjoint parlementaire du ministre de l'Éducation
Scarborough-Agincourt	Phillips, Gerry	L	
Scarborough Centre/-Centre	Owens, Stephen	ND	parliamentary assistant to Minister of Financial Institutions/ adjoint parlementaire du ministre des Institutions financières
Scarborough East/-Est	Frankford, Robert	ND	
Scarborough-Ellesmere	Warner, Hon/L'hon David	ND	Speaker/Président
Scarborough North/-Nord	Curling, Alvin	L	opposition deputy whip/whip adjoint de l'opposition
Scarborough West/-Ouest	Swarbrick, Anne	ND	
Simcoe Centre/-Centre	Wessenger, Paul	ND	parliamentary assistant to Minister of Health/ adjoint parlementaire de la ministre de la Santé
Simcoe East/-Est	McLean, Allan K.	PC	Vice-Chair, standing committee on government agencies/ Vice-Président du Comité permanent des organismes gouvernementaux
Simcoe West/-Ouest	Wilson, Jim	PC	
Sudbury	Murdock, Sharon	ND	parliamentary assistant to Minister of Labour/ adjointe parlementaire du ministre du Travail
Sudbury East/-Est	Martel, Hon/L'hon Shelley	ND	Minister of Northern Development and Mines/ ministre du Développement du Nord et des Mines
Timiskaming	Ramsay, David	L	
Victoria-Haliburton	Drainville, Dennis	ND	First Deputy Chair of the Committee of the Whole House/ Premier Vice-Président du Comité plénier de l'Assemblée législative
Waterloo North/-Nord	Witmer, Elizabeth	PC	
Welland-Thorold	Kormos, Peter	ND	Chair, standing committee on resources development/ Président du Comité permanent du développement des ressources
Wellington	Arnott, Ted	PC	
Wentworth East/-Est	Morrow, Mark	ND	Chair, standing committee on the Ombudsman; Vice-Chair, standing committee on administration of justice/ Président du Comité permanent de l'ombudsman, Vice-Président du Comité permanent de l'administration de la justice
Wentworth North/-Nord	Abel, Donald	ND	government whip/whip du gouvernement
Willowdale	Harnick, Charles	PC	
Wilson Heights	Kwinter, Monte	L	
Windsor-Riverside	Cooke, Hon/L'hon David	ND	Minister of Municipal Affairs, Chair of the Management Board of Cabinet and government House leader/ministre des Affaires municipales, président du Conseil de gestion du gouvernement, et chef parlementaire du gouvernement
Windsor-Sandwich	Dadamo, George	ND	parliamentary assistant to Minister of Culture and Communications/ adjoint parlementaire de la ministre de la Culture et des Communications
Windsor-Walkerville	Lessard, Wayne	ND	parliamentary assistant to Chair of the Management Board of Cabinet/adjoint parlementaire du président du Conseil de gestion du gouvernement
York Centre/-Centre	Sorbara, Gregory S.	L	
York East/-Est	Malkowski, Gary	ND	parliamentary assistant to Minister of Citizenship/ adjoint parlementaire de la ministre des Affaires civiques
York Mills	Turnbull, David	PC	Progressive Conservative whip/whip du Parti progressiste- conservateur
York North/-Nord	Beer, Charles	L	Chair, standing committee on social development/ Président du Comité permanent des affaires sociales
York South/-Sud	Rae, Hon/L'hon Bob	ND	Premier, President of the Executive Council, Minister of Intergovernmental Affairs/premier ministre, président du Conseil des ministres, ministre des Affaires gouvernementales
Yorkview	Mammoliti, George	ND	parliamentary assistant to Minister of Correctional Services/ adjoint parlementaire du ministre des Services correctionnels

**COMMITTEES OF THE LEGISLATIVE ASSEMBLY
COMITÉS DE L'ASSEMBLÉE LÉGISLATIVE**

STANDING COMMITTEES/COMITÉS PERMANENTS

Administration of justice/Administration de la justice

Chair/Président: Mike Cooper
Vice-Chair/Vice-Président: Mark Morrow
Members/Membres: Zanana Akande, Jenny Carter, Robert Chiarelli,
Mike Cooper, Alvin Curling, Charles Harnick, Steven W. Mahoney,
Gary Malkowski, Mark Morrow, Robert W. Runciman,
Paul Wessinger, David Winninger
Clerk/Greffière: Lisa Freedman

Estimates/Budgets des dépenses

Chair/Président: Cameron Jackson
Vice-Chair/Vice-Présidente: Margaret Marland
Members/Membres: Gilles Bisson, Gary Carr, Ron Eddy, Will Ferguson,
Robert Frankford, Wayne Lessard, Lawrence O'Connor, Anthony
Perruzza, David Ramsay
Clerk/Greffier: Franco Carrozza

**Finance and economic affairs/
Finances et affaires économiques**

Chair/Président: Ron Hansen
Vice-Chair/Vice-Président: Kimble Sutherland
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Monte Kwinter, Gerry Phillips, Norman W. Sterling, Brad Ward,
Margery Ward, Jim Wiseman
Clerk/Greffier: Todd Decker

General government/Affaires gouvernementales

Chair/Président: Michael A. Brown
Vice-Chair/Vice-Président: Carman McClelland
Members/Membres: Ted Arnott, Will Ferguson, Derek Fletcher,
Margaret H. Harrington, Randy R. Hope, George Mammoliti, Rosario
Marchese, Bill Murdoch, Dianne Poole, John Sola
Clerk/Greffière: Deborah Deller

Government agencies/Organismes gouvernementaux

Chair/Président: Robert W. Runciman
Vice-Chair/Vice-Président: Allan K. McLean
Members/Membres: James J. Bradley, Jenny Carter, John C. Cleary,
Will Ferguson, Robert Frankford, Bernard C. Grandmaitre, Rosario
Marchese, Chris Stockwell, Daniel Waters, Jim Wiseman
Clerk/Greffier: Douglas Arnott

Legislative Assembly/Assemblée législative

Chair/Président: Noel Duignan
Vice-Chair/Vice-Président: Mike Farnan
Members/Membres: Mike Cooper, Paul R. Johnson, Margaret Marland,
Irene Mathyssen, Carman McClelland, Gord Mills, Gilles E. Morin,
Stephen Owens, Barbara Sullivan, Noble Villeneuve
Clerk/Greffier: Douglas Arnott

Ombudsman/Ombudsman

Chair/Président: Mark Morrow
Vice-Chair/Vice-Présidente: Christel Haeck
Members/Membres: Zanana Akande, Dennis Drainville, Noel Duignan,
D. James Henderson, Paul R. Johnson, Frank Miclash, Bill Murdoch,
Anthony Perruzza, David Ramsay, Elizabeth Witmer
Clerk/Greffier: Franco Carrozza

Public accounts/Comptes publics

Chair/Président: Remo Mancini
Vice-Chair/Vice-Président: Joseph Cordiano
Members/Membres: Robert V. Callahan, W. Donald Cousens, Noel
Duignan, Robert Frankford, Christel Haeck, Pat Hayes, Paul R. Johnson,
Lawrence O'Connor, David Tilson
Clerk/Greffière: Tannis Manikel

**Regulations and private bills/
Règlements et projets de loi privés**

Chair/Président: Drummond White
Vice-Chair/Vice-Présidente: Ellen MacKinnon
Members/Membres: George Dadamo, Ron Eddy, Mike Farnan,
Ron Hansen, W. Leo Jordan, Gord Mills, Tony Ruprecht, John Sola,
Kimble Sutherland, Jim Wilson
Clerk/Greffier: Todd Decker

Resources development/Développement des ressources

Chair/Président: Peter Kormos
Vice-Chair/Vice-Président: Bob Huget
Members/Membres: Sean G. Conway, George Dadamo, W. Leo Jordan,
Paul Klopp, Dalton J.P. McGuinty, Sharon Murdock, Steven Offer,
David Turnbull, Daniel Waters, Len Wood
Clerk pro tem/Greffier par intérim: Todd Decker

Social development/Affaires sociales

Chair/Président: Charles Beer
Vice-Chair/Vice-Président: Hans Daigeler
Members/Membres: Dennis Drainville, Joan M. Fawcett, Tony Martin,
Irene Mathyssen, Yvonne O'Neill, Stephen Owens, Drummond White,
Gary Wilson, Jim Wilson, Elizabeth Witmer
Clerk/Greffière: Lynn Mellor

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Government
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Legislative Assembly of Ontario

Second Session, 35th Parliament

Official Report of Debates (Hansard)

Wednesday 7 October 1992

Assemblée législative de l'Ontario

Deuxième session, 35^e législature

Journal des débats (Hansard)

Mercredi 7 octobre 1992



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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Renseignements sur l'Index

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 7 October 1992

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

ACCORD CONSTITUTIONNEL

M. Bernard Grandmaitre (Ottawa-Est) : Je vais dire un oui enthousiaste à l'entente de Charlottetown.

À mon avis, le plus grand mérite de cette entente est d'avoir réussi à tenir compte des intérêts et des aspirations des nombreuses composantes de la société canadienne : des autochtones, de l'Ouest et du Québec, par exemple.

À Charlottetown, on a pensé à une nouvelle façon de faire fonctionner la fédération où tout le monde se sentirait inclus sans menacer les droits individuels et collectifs, sans menacer les institutions qui nous permettent de réaliser nos objectifs communs.

Promenez-vous partout dans le pays et vous allez trouver des individus qui diront qu'ils auraient pu obtenir plus. Ils ont raison. Ce à quoi nous sommes arrivés est un compromis où tout le monde gagne.

Une constitution se doit de répondre aux besoins actuels. Elle n'a pas la capacité d'imposer une vision d'un pays même si cette vision est techniquement parfaite.

On dit souvent que l'entente de Charlottetown va rendre le pays plus difficile à gouverner. C'est possible. Quand tout le monde peut s'exprimer, en général ça peut prendre plus de temps. C'est le prix de la démocratie. C'est ce qu'il fallait faire pour que la grande majorité des Canadiennes et Canadiens se sentent chez eux dans leur pays. Même une constitution froide et techniquement parfaite n'arrivera jamais à remplacer la volonté de vivre et de bâtir ensemble.

CONSERVATION OFFICERS

Mr Bill Murdoch (Grey): I would like to bring to the attention of this House a very disturbing situation that is affecting my riding and, I'm sure, the province as a whole. Conservation officers, who are employed by the Ministry of Natural Resources and who enforce our provincial fish and game laws, have in effect been told not to work so hard. This may sound like good news to many people, but it only frustrates the dedicated MNR staff in Grey.

Conservation officers can no longer cover the entire area for which they are responsible because of new mileage restrictions. They can no longer respond to calls on weekends or evenings because of time restrictions. Therefore, good fish and game management will become a thing of the past.

The special investigation unit which worked undercover and which has broken up several major commercial poaching ventures has been disbanded.

Without this protection for our wildlife, anyone can hunt and fish at will. Harvests will no longer be regulated and species will decline and may become extinct. It will be

impossible for fish and game to maintain their natural population.

As well, our children will suffer. Conservation officers often visited schools to educate our young people. They explained proper wildlife management and taught them respect for the environment.

It is ironic that the minister has made the decision on the 100th anniversary of the hiring of Ontario's first conservation officer. On what should be a happy and proud occasion, the minister has generated only despair and low morale.

Ontario is well known and praised for its natural wealth of fish and wildlife. Will the minister continue to put this fine reputation at risk?

ALGOMA CENTRAL RAILWAY

Mr Tony Martin (Sault Ste Marie): Today I would like to update the House on the progress we've made to date with the Algoma Central Railway in Sault Ste Marie.

The Strategic Consultation and Action Now Algoma Central Railway Task Force, of which I am chair, has been working to help resolve the ACR problem. Our mandate is to look at options to maintain the Algoma Central Railway in the public interest.

As you are all aware, the provincial government has generously contributed to the maintenance of the railway, and now it is our task to find alternatives to provincial funding.

This past summer, SCAN North ACR held a two-day conference in Wawa. I wanted to share with the House how valuable and successful the conference was in pulling people together. If nothing else, it confirmed in our minds the value of the ACR as a piece of the transportation infrastructure in the Sault-to-Hearst corridor. Many valuable ideas were generated as to how this challenge might be resolved. This will eventually be shared with the government.

I want to say thank you to the Minister of Northern Development and Mines for instituting SCAN North as a tool for strategic planning and especially for targeting the ACR. I would also like to thank all those groups and individuals, the company, staff and unionized employees, shippers, tourist operators and communities that took time to participate. The 80 people who converged in Wawa for the conference indicated to us the importance of consultation and the value of the ACR to our area and northeastern Ontario.

CHARITABLE GAMING

Mr Robert V. Callahan (Brampton South): Yesterday the Minister of Consumer and Commercial Relations announced a pilot project in Windsor of casinos and promised us more if they were successful. It raises a question about how charities are going to fund themselves.

I give you a perfect example: Big Sisters of Peel, which does tremendous work with young girls who require the assistance of an older girl, is funded 70% by fundraising on its own. I looked at their financial statement at

their last annual meeting. They raised \$174,000 with Nevada tickets.

Minister, as you well know, Nevada tickets are the paper version of a one-armed bandit or slot machine. What is going to happen to the Big Sisters in terms of being able to raise funds once you've introduced your casinos with the slot machines? Is it going to become a situation where charities are going to have to come begging to the NDP government? Are you going to keep them on a string? Is that the way you're going to control them or are you in fact going to allow them to simply just go out of business?

I suggest that if you've got any ideas of the Big Sisters running a casino, they're not interested. What you're doing, in effect, is simply putting volunteers in a category where they're not going to be able to raise the funds to carry out all the necessary good works going on in our province.

I suggest to you, Minister, you'd better take a good hard look at how you're going to deal with these casinos and what answer you're going to have for those young girls who won't have Big Sisters if funding's not available.

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SHORELINE MANAGEMENT

Mr Allan K. McLean (Simcoe East): My statement is for the Minister of Natural Resources and it concerns your proposed restrictive shoreline management plan.

I received more than 150 letters from residents of properties that border the Lake Huron shoreline who are concerned that you plan to implement a draft provincial policy statement called the Great Lakes-St Lawrence River Flood and Erosion Policy Statement. The residents are worried that if you implement this plan a significant portion of their property rights will be expropriated, resulting in a substantial financial hardship.

These residents want you to reconsider how it will be implemented. They also want further implementation of the Ausable-Bayfield Conservation Authority shoreline management plan halted immediately. They believe implementation of this plan is premature because it's only in draft form and has not yet been finalized.

As Minister of Natural Resources, you're aware that a similar situation exists in the township of Tiny. Your response to that matter of the Rowntree Beach Association is before the courts and it has created a cloud of uncertainty whereby property owners are not able to sell or mortgage their properties and the properties themselves have been devalued. When are you going to resolve this matter so people can get on with their lives?

I urge you to reconsider this matter before your restrictive shoreline management plan is implemented and before you mess up things along the Lake Huron shoreline like you have along the Tiny township shoreline.

LABOUR LEGISLATION

Mr Tony Rizzo (Oakwood): I rise today in this House to publicly state my total and deep dissent with the fearmongering campaign waged against Bill 40. It has been said that with Bill 40, Ontario would become the most pro-union jurisdiction in the democratic world and

also that this bill will transform Ontario into the last bastion of socialism. This is merely a misrepresentation of reality.

Think of Germany, where union representatives and employee representatives are entitled by law to sit on corporations' boards of directors. Five out of seven of the most industrialized countries are much more advanced in labour codes than us and do much better than us.

Is there anyone who can, in good faith, explain to the workers of Ontario how those economies can work with such strict labour codes and Ontario's economy would instead go down the drain for forbidding scab labour? European business understands this. Franco Tato, the former chairman of the German company, Triumph Adler, says, "In the joint management system that exemplifies the German economy, a strong union is absolutely vital in dealing with the social problems that inevitably accompany the kind of industrial restructuring that the country will have to face in the coming years."

If Ontario employers would stop wearing blinkers and start looking farther than Buffalo, then Ontario will prosper and also be different from the United States. If not, the happy few will grow richer and richer while more and more of us will become poorer and poorer, just like the United States.

FOOD BANKS

Mr Steven W. Mahoney (Mississauga West): As we approach the second Thanksgiving weekend since this government was elected, we recognize that the use of food banks in the GTA has increased by 85% and that this year they'll be looking for over two million pounds of food. That amount of food has doubled in one year. In the past, the percentage of high school graduates using food banks was relatively low, but that rate has gone up this year by 45%.

The Premier made a promise in October 1990 to eliminate food banks and said his government would be able to tackle the problem of hunger in its first term. Each year the lines are longer and this government's solutions are ineffective. At this time of Thanksgiving this government should resolve itself to live up to the promises made by Bob Rae in the last election.

You defend your actions or inactions instead of admitting your failure, and you were going to be different. Instead, while you concentrate on your philosophical dogmatic agenda, people—women and children—are starving. What a travesty: a social democratic government with a Premier who wouldn't dare lie to the people but who clearly cannot deliver on his promises. You've institutionalized the very program you promised to end.

Shame on this government, shame on this minister who is obviously incompetent and shame on this Premier who seems to care not for those who elected him, but rather more for his personal image. Premier, come home and help the people vote Yes in this country on a full stomach and with a job.

ROAD MAINTENANCE AND CONSTRUCTION

Mr Ted Arnott (Wellington): Last spring, on April 30, I informed the Legislature of a gross funding inequity

authored by the Minister of Transportation which severely impacted the county of Wellington's road construction and maintenance budget.

You will recall that the minister had promised municipalities that his base allocation for roads funding in 1992 would increase by 1%. However, the minister conveniently neglected to mention that he had unilaterally demanded a change in local accounting procedures from the rural model to the urban one, and without prior consultation he had changed the ministry's criteria with respect to resurfacing needs. He neglected to mention that Wellington county's base allocation would actually drop a full 8% or almost \$500,000 over the 1991 allocation, leaving the county no option but to defer necessary projects.

On top of this, the minister has shown a clear lack of interest in the urgent need to prioritize improvements to Highway 6 through Wellington on his five-year plan. I call upon him to announce today that construction to make Highway 6 safer will commence next spring at the very latest.

Now we have the government promoting the concept of disentanglement. The widely held view is that under disentanglement the province may assume 100% of the cost of welfare and in return local government will assume 100% of roads funding. The government has stated that there will be no losers as a result of disentanglement. After last year's roads funding fiasco, pardon me if I say we can't trust this government to keep this commitment.

If the province were to assume full financial responsibility for welfare and discontinue roads subsidy, municipalities in Wellington would be forced to pick up the much larger province-roads cost, over \$10 million, while the province would only assume the much smaller municipal share of welfare, less than \$2 million, a net loss to the county of \$8 million, making property taxes in Wellington soar into the sky.

I implore this government not to take any action on disentanglement without direct consultation and the acknowledged assent of Ontario municipalities from all areas of the province.

The Speaker (Hon David Warner): The member's time has expired. Would the member take his seat, please.

TVONTARIO

Mr Gordon Mills (Durham East): For a change, a positive statement: As members are aware, TVOntario hosted an open house for the general public during Toronto Arts Week recently. The occasion also marked the station's 22nd birthday. TVO, which is an agency of the Ministry of Culture and Communications, wanted to celebrate more than 20 years of success in television with the people who count the most, the viewing audience.

More than 25,000 people showed up to tour the studios, enjoy performances and take part in other activities. This number exceeded even the highest expectations. Since day one, TVO and La Chaîne have brought the people of Ontario the finest in educational programs and enlightened entertainment programs, Mr Speaker, which I'm sure you enjoy. Elwy Yost's Saturday Night at the Movies, Polka Dot Door and À la claire fontaine have made TVOntario an Ontario institution.

This province takes pride in our public broadcasting station and we are pleased to call it public television for the 1990s. While much of the financial support comes from the Ministry of Culture and Communications, TVO's foundation is really the viewing audience.

On behalf of the ministry, I want to take this opportunity to congratulate everyone involved with the recent open house for its resounding success. Congratulations to the people who bring us TVOntario.

FREEDOM OF INFORMATION

The Speaker (Hon David Warner): I have had time to consider the point raised yesterday by the honourable member for Dufferin-Peel (Mr Tilson) regarding fees that he was required to pay in relation to the freedom of information and privacy legislation as it applies to members of the House.

As I had cautioned the member yesterday, I was not able to find that he had a valid point of privilege. I would like to refer the honourable member to rulings given earlier in this House by Speaker Edighoffer on June 7, 1988, and again on June 13, 1988, that address the very point that he raised yesterday.

Again, I thank the honourable member for the way in which he has brought this matter to the attention of the House.

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STATEMENTS BY THE MINISTRY AND RESPONSES

FIRE SAFETY

Hon Allan Pilkey (Solicitor General): I am pleased to be announcing retrofit regulations which make building owners responsible for ensuring that adequate fire safety standards are met in high-rise and low-rise residential buildings that were constructed before 1975. I am confident that these regulations will significantly reduce the loss of life and property due to fire.

These regulations will ensure that adequate exits, fire alarm systems and measures to confine and control the spread of fire are provided in all high-rise and low-rise dwellings in our province of Ontario.

We have developed these regulations through the active participation of public and private sector stakeholders, all of whom support this important initiative.

Landlords, the fire service and government agree on the need for a sensible implementation plan that balances the rights of tenants to live in a safe environment with the responsibility of landlords to comply with the regulations. Phasing in implementation over at least two years will produce a fair approach for landlords and tenants alike. I believe this approach will result in compliance with the regulations to the satisfaction of all parties concerned.

The office of the fire marshal has prepared a training program that will be delivered throughout the province in partnership with the local fire department and landlord associations. In addition, the office of the fire marshal is available to assist, advise and participate in any training sessions held by the various landlord associations or the Ministry of Housing.

I would like to take a moment to thank the Ontario Association of Fire Chiefs, the Ontario Municipal Fire Prevention Officers' Association and landlord groups such as the Urban Development Institute and the Fair Rental Policy Organization, as well as the Ministry of Housing, for their cooperation, their involvement and their support in the development of these regulations.

Some of the representatives of these organizations are here with us today, and I would like to acknowledge their presence: Chief Donald Warden, president of the Ontario Association of Fire Chiefs and the fire chief of Wasaga Beach; Chief Don McLean of Sudbury; Chief John Miller of East York; Art Pullen, president of the Ontario Municipal Fire Prevention Officers' Association; representatives of the Rupert Hotel Coalition, including Reverend Bill Major, Michael Shapcott, Rudy Mamm, Beth McNabb and Doug Phelps, and as well Bill Brown, recently retired fire chief from the city of Cambridge. I want to make a special mention of Fire Chief Bill Brown, who has advocated on these measures for many, many years. Congratulations.

As you know, Mr Speaker, this is as well Fire Prevention Week, which makes these announcements with respect to these regulations particularly fitting. These regulations address one of the key recommendations of the Rupert Hotel inquest, which calls for improved fire safety in residential buildings.

In addition, the Webber commission public inquiry into high-rise safety and resolutions from the municipalities and the Ontario Association of Fire Chiefs have highlighted the need for specific fire safety requirements in these older buildings. These regulations address that particular need.

This also represents an employment opportunity for Ontario's building industry as in excess of 600,000—that's right, 600,000—residential units require retrofitting to meet the fire safety standards established in these regulations.

The safety and the security of the residents of Ontario will be greatly improved by the retrofit regulations that I am announcing in this House today. Again, special appreciation to all of those who assisted in making this regulation possible. Our thanks.

COLLECTIVE BARGAINING LEGISLATION

Hon David S. Cooke (Chairman of the Management Board of Cabinet): I am pleased to inform the House today that the government has taken a significant step in reform of the Crown Employees Collective Bargaining Act, commonly known as CECBA.

Reform of CECBA, which sets out the rules for collective bargaining in the public service, is long overdue. That's why I'm pleased to report that yesterday, as Chair of Management Board, I submitted to the Minister of Labour the Employer Report on the Reform of the Crown Employees Collective Bargaining Act. It outlines the employer's position and advice to the Ministry of Labour, which in turn will study the report and determine what changes to the act must be made.

You will be aware, Mr Speaker, that members of the House and some government employees have made statements about what the government's intentions are with

regard to this issue. I believe my statement today will clearly outline the merit and motivation of this reform.

In developing the report, we sought out comment, we listened and we responded to that comment. Over the last 15 months, Management Board consulted Ontario public service employees, bargaining agents and staff associations. These parties have made it clear that several issues concerned them.

We listened carefully to the concerns raised by our management employees. We met with their emerging staff associations. We held eight information sessions, attended by 4,000 employees throughout the province, with links to 55 other centres.

Employees told us that they wanted to be treated fairly and equitably. They said they want the right to choose who represents them and they want their seniority protected. We have given them that in good faith.

We have reviewed and listened to more than 300 calls received on voice mail and carefully read the close to 3,000 letters we received on this issue.

Allow me to be more specific. The government has made the following decisions:

Full seniority will be guaranteed to employees who become part of a bargaining unit.

Employees currently receiving an additional five days of leave under the management compensation option and who as a result of the proposed CECBA reform are moved into a bargaining unit will continue to receive an additional five days or a salary equivalent.

Employees whose positions have historically and wrongly been excluded from the bargaining unit will be assigned to the appropriate bargaining unit. Management Board will work with the ministries to identify those positions. The bargaining agent will be given the right to review the list of the affected positions. Any positions in dispute will be referred to a tribunal for a ruling.

The issue of wrongly excluded employees has persisted for many years. For far too long, many employees were wrongly and unfairly excluded from collective bargaining.

Changes to CECBA will extend bargaining rights to approximately 7,000 employees. These employees will be given the right to choose—and I repeat, those employees will be given the right to choose—if they want to bargain collectively or join a union, and if so, who will represent them.

Allow me to give these numbers some context. Of the approximately 90,000 employees working in the Ontario public service, about 18,000 of them do not have the right to bargain under the current act. We estimate that about 2,000 of those 18,000 should always have been allowed to bargain. Of the remaining 16,000, we estimate that changes to the act will extend bargaining rights to about 7,000 employees. These employees will be given the right to choose who will represent them.

That leaves 9,000 employees who will remain excluded from the collective bargaining process. Among this number are individuals who supervise staff, hire, fire and approve merit. Also excluded are positions unique to the crown; for example, ministers' staff, strategic policy advisers, judges and mediation staff at the Ministry of Labour.

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The government's final decision will extend the right to strike to the public service. Arbitration will be available only by the mutual consent of the parties and a limited number of issues will be permanently precluded from arbitration. To protect the public, there will be no legal strike or lockout without essential services being determined first. These services will continue to be provided in the event of a strike or lockout.

The points I have mentioned will not be subject to further review by the Ministry of Labour. But other issues in the Employer Report will be subject to further study and policy development by my colleague the Minister of Labour and his staff.

The point of reforming the act is not to achieve wholesale unionization of the Ontario public service. Rather, the act needs to be reformed, needs to be modernized, so that labour-management relations in the public service come into the 1990s. The act has not been substantially changed for 20 years and has become one of the most outdated pieces of public labour legislation in all of our country.

This has been evident for some time. For example, the growing cost of settling grievances stemming from the outmoded job classifications has strained government resources. A more balanced system will reduce the adversarial character of relations between the government and its employees and curtail the cost of using litigation to settle disputes. We will be getting away from arbitration by third parties.

I believe proper communication around this issue is critical. This government consulted its employees before developing the Employer Report, and it intends to continue to communicate. At a special meeting tomorrow morning I will talk to ministry employees about this important initiative, and a letter will be sent to all managers and excluded employees outlining the reforms we are initiating.

As newly appointed chair, I am proud to have become part of the effort to right some of the wrongs, accommodate employee concerns and improve the climate of employer-employee relations. We are well on our way to reforming the act thanks to the effective leadership of my predecessors Tony Silipo and Frances Lankin.

A reformed act will allow the public service to continue providing accessible and responsive services to the public while respecting the rights and aspirations of our public service employees. I hope the members of this House will support our efforts.

The Speaker: Statements by ministers? Responses.

Mr Gerry Phillips (Scarborough-Agincourt): I'd like to respond to the Chair of the Management Board of Cabinet and say that we will be spending a good deal of time scrutinizing your proposal. You call it the Employer Report. Frankly, on this side of the House we sometimes have difficulty in distinguishing whether you are the employer or you're part of the union on this. There are several issues here I want to raise.

The minister, in his remarks, did not read his remarks. He changed his remarks from what the printed document says. He said that the individuals will have the right to

determine whether or not they want a bargaining unit. It doesn't say that in your prepared text.

Hon Mr Cooke: What does it say?

Mr Phillips: You can read it yourself. It says that employees will be given the right to choose who represents them. You will find, Mr Speaker, the Hansard will record that the minister did not read that statement as it's written here but said something different. We will be examining those comments.

I will also say that it's clear that the government will unilaterally allocate 2,000 people to the OPSEU unit. I again don't see here that the employees will have any say in that. It will be a determination between the government and OPSEU, and those 2,000 employees will have nothing to say about whether or not they are in OPSEU.

The minister has said that this is a result of a consultation. I will say to him as clearly as I can that the people who were affected by this heard nothing about this until July. The minister chooses not to listen now—typical of that minister, who is not listening to the concerns of the opposition. I will say to you, Minister, as clearly as I can that the people who were affected by this heard nothing about it until July. You didn't spend 15 months consulting with the people who are affected by this proposal.

I will also say that we will be watching carefully the protection of the public on the right to strike. There are many essential services in the Ontario public service that have to be protected for the public, and we will be monitoring that carefully.

I will say also, in closing, that the government is spending an incredible amount of time on the whole issue of organizing and bargaining. There has been nothing that has divided this province as clearly and as divisively as Bill 40, and it is clear that you have gotten the labour movement and the business community completely polarized.

Once again we are heading into spending time in the Legislature in dealing with the whole issue of unionization—that may be appropriate—but at the very time when we are seeing record numbers of people unemployed and nothing coming out of the government to get on to dealing with the issue of unemployment. I would urge the government to come forward, as we did yesterday in the Legislature, with your plans to get the economy rolling, Treasurer. Stop these diatribes and get a plan to get the Ontario economy rolling, as you promised you would have here a year ago.

FIRE SAFETY

Mr Alvin Curling (Scarborough North): I want to welcome the announcement made by the Solicitor General. I want to say to you too that any announcement that addresses saving lives and setting standards of operation is something that we welcome here in the province. Of course, public safety and fire safety are areas we had hoped the Solicitor General would have moved on with more assertiveness and with a better effort.

Of course there are other—and you have mentioned it—aspects of the Rupert inquest that you did not address. We hope you start addressing them too. What we want too,

Mr Solicitor General, is to start addressing the Fire Services Review Committee. You have not looked at that at all.

In the short time I have, I have to commend those who have served so efficiently and effectively on that board, especially Bill Brown, who is the fire chief in Cambridge and who I gather is a person of great reform and who is well respected in his community. I and my party would like to say to him in his retirement, all the best.

Mr Solicitor General, I'm very disappointed that you have not brought forward the regulations so we could look at them and assist you better in knowing what you have put forward.

COLLECTIVE BARGAINING LEGISLATION

Mr Chris Stockwell (Etobicoke West): I'd like to respond to the announcement today by the Chairman of the Management Board of Cabinet. This appears to me to be the sequel to Bill 40. Bill 40 was the payoff to the private sector union executives, and this now becomes the payoff for the public sector union executives.

This has a very interesting point that wasn't addressed, and I think the critic for the Liberal Party picked up on a rather interesting point. The minister did not read the text that was produced. Why he did not read it: because there's a very important point left out. There is no assumption that these employees may not want to be part of a union, surprisingly. I think that would come as a shock to this government. There are a significant number of people out there who don't want to be part of a union and who would rather vote against being part of a union. What this legislation does not do is allow those employees a private ballot so they may make that decision on their own, a private ballot to ask them whether or not they would like to be organized.

I was at that meeting in the Whitney Block in July. I was at the meeting that took place that informed them, and they were very clear in their opposition. They were very clear that they were opposed to this kind of legislation because they did not want to be part of a union. The 3,000 phone calls the minister speaks of, I read transcripts of those. They're not in favour of this legislation. They don't want this to happen. They don't think this is a good idea.

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The minister doesn't mention that in his comments and doesn't deal with that in the legislation simply because he doesn't care. He wants to organize these employees and put them in a union so he can pay off his public sector union executives like Mr Fred Upshaw.

You talk about consultation. The consultation started on this back in October 1990. There are many pieces of correspondence which took place between the then minister of Management Board and the president of the local union. That consultation took place in negotiations with OPSEU. That was one of the negotiated settlements. It was a bargaining chip. These people were nothing more than a bargaining chip for a settlement with OPSEU and Mr Upshaw. That's how much they think of these employees and the benefits to the taxpayers of the province of Ontario.

Secondly, I would suggest that this government, this party and this minister have a very clear conflict of inter-

est. Let's talk about checkoffs. Checkoffs are when they pay union dues. You, the NDP, collect your cut, and your cut is a portion of those union dues which goes directly into your political coffers to boost your next campaign. That's called a checkoff—in the private sector, it's called a cut—and their cut is some percentage of the union dues.

Lastly, what is very, very disappointing is that this government has a priority list of legislation it wants to get through this Legislature. They have 1.6 million people unemployed or on welfare. These people have lost their jobs, they're losing their houses, they're having trouble making ends meet, they've got food banks that you were going to eradicate expanding, they've got food banks at universities, and the most important issue in the priority ranking is putting 7,000 employees into a union so they can get their checkoffs for their public sector accounts.

I doubt those 1.6 million people consider this a priority. The people you're trying to unionize don't think it's a priority; they don't want to be in a union. Maybe if this socialist government could get its act together, get its priorities straight and try to resolve the problems of this province with respect to jobs and the economy, we wouldn't see this kind of legislation before us so you can pump up your campaign coffers.

PROVINCIAL DEFICIT

Mr Murray J. Elston (Bruce): On a point of order, Mr Speaker: From time to time there have been important statements made in the press just prior to coming into the House but which have serious consequences for the provincial government and the people. At 1 o'clock there was a report that the Ontario deficit is predicted to rise to \$13.5 billion.

The reason I stand now is that in order for the Treasurer to put things straight and allow the people of the province to understand that he is in charge, I ask for unanimous consent to have the Treasurer of this province make a statement to the House to set clear what in fact our current fiscal situation is. We need stability in this province.

The Speaker (Hon David Warner): Do we have unanimous consent? No? I heard at least one negative voice. There may have been others. It is time for oral questions, and the House leader of the official opposition.

Mr Elston: It's a bit distracting when we have reports like that, which cause destabilizing effects around our province, that the Treasurer will not take his opportunity to respond.

ORAL QUESTIONS

ONTARIO HYDRO PRESIDENT

Mr Murray J. Elston (Bruce): Let me get into another matter which is causing a tremendous amount of instability in this province. That is with respect to what is happening to our crown corporation Ontario Hydro and the fact—

Interjections.

The Speaker (Hon David Warner): To whom is your question directed?

Mr Elston: My question, if they'll let me get to it, Mr Speaker, is for the Minister of Energy. I'm talking about the instability of our crown corporation, the instability around the leadership of that organization.

Hon Ruth A. Grier (Minister of the Environment and Minister Responsible for the Greater Toronto Area): You are scared to ask a question about it.

Mr Elston: Are you going to call them to order, Mr Speaker?

Mr James J. Bradley (St Catharines): After it, we'll ask a question on lakefilling.

Hon Mrs Grier: Fine, I will answer it.

Mr Steven W. Mahoney (Mississauga West): You don't want us to ask a question to Mr Charlton, is that the trouble?

Mr Robert V. Callahan (Brampton South): You are afraid he might give us a new version.

The Speaker (Hon David Warner): Order. While I appreciate a more relaxed atmosphere, at the same time this is question period and perhaps we could approach it in a businesslike fashion. Indeed, to be fair to both sides of the chamber, we will reset the clock for the 60 minutes. We are now starting question period and the House leader of the opposition has a question for the Minister of Energy.

Mr Elston: How it pains me, Mr Speaker, but in fairness, the House leader of the official opposition has a question for the Minister of Energy. I'm not sure whether he is able to answer any of these, but we'll try it again. He has very creative talents with respect to the wording of his replies to very straightforward questions, but let me ask the following question:

We want to know how it is that he required Marc Eliesen, when he was cleaning out his chairman's office, to also clean out the president's office? We want to know who now is in charge, since the Minister of Energy directed that the president of Hydro be fired. Now that both the president and chairman are gone, or are about to be gone, who is running Ontario Hydro?

Hon Brian A. Charlton (Minister of Energy): First of all, I think I have to correct the member yet again. This minister did not have anything to do with cleaning out the president's office. But specifically in respect to the member's question about who's running Hydro, the chair is still there until the end of October, and Mr Al Kupcis, a 20-year veteran of Ontario Hydro, a vice-president of the company, has been appointed the acting president.

Mr Elston: Mr Marc Eliesen is leaving Hydro on October 23. He's going on vacation so he can rest in order to take over his duties in British Columbia. He has scheduled, however, a special meeting for tomorrow, and there will be another on October 19, at which he will preside as chairman and at which time major decisions will be taken with respect to the future of Ontario Hydro and the lives of the women and the men who work in that great facility, and also of the people who pay the way, the cost of having hydro in this province.

With Mr Eliesen making all those decisions, who is going to be responsible for the problems that arise from

the decisions taken tomorrow and on the 19th, meetings which have been specially set so Marc Eliesen can do his final work with Hydro?

Hon Mr Charlton: It has been clear, especially to the member who is raising the question, that it is the government's responsibility to appoint a new chair. The government will fulfil that responsibility. The Premier, when he's made a decision on who the new chair will be, will make that appointment by order in council, as the member well knows. In the meantime, Mr Eliesen is still there as the chair of Ontario Hydro. If there is a transition between Mr Eliesen's departure and the commencement of the duties of a new chair, we'll deal with that through an acting chair. Presently, as I said, Mr Al Kupcis has been appointed the acting president of Ontario Hydro. He's a very capable man. He's been with the corporation 20 years and I am confident he can handle the job very well.

Mr Elston: It may be very well to say that a 20-year veteran of management at Hydro will be in charge, but our information is that fully three of the senior vice-presidents of Ontario Hydro will be the subject matter of discussion at the Hydro meeting tomorrow in terms of the future, that in fact at least three senior VPs of Ontario Hydro are also being told, or at least lured, out the door to retirement. The new chairman, to be chosen by your Premier, won't be here until March 1993 and Hydro won't come under his or her direction until much later, when he or she gets familiar with the job. It seems to me that Mr Al Kupcis may be the only person left anywhere close to senior management at Hydro.

How can this minister stand here and say that his government has not directed Mr Marc Eliesen to completely destroy the upper management of Hydro, to put on hold any decisions which would help that organization stabilize the rates so that the people of this province can pay a reasonable cost for hydro and so that steps can be taken to keep industry in this province? Why has the Energy minister, at the behest of the Premier, been told to destroy the upper management of Ontario Hydro?

Hon Mr Charlton: The questions the House leader of the official opposition asks, I think, reflect probably a frustration on his part, because he doesn't like some of the answers he's hearing from this side of the House.

But this minister, this government and this Premier have not instructed the dismantling of the senior management at Ontario Hydro. There are some difficult issues that have to be dealt with in terms of rate increases. There are some difficult issues that have to be dealt with in terms of Hydro's capital program which have led us into some particularly difficult times. This government is prepared and will proceed to deal in working with Hydro to resolve those problems.

1420

PROVINCIAL DEFICIT

Mr Murray J. Elston (Bruce): I have a question for the Treasurer, who is barking at me to get to him. He has not had a chance to do much lately and in fact has accomplished that lately.

Can I ask the Treasurer his defence of the allegation that \$13.5 billion is the new deficit for the province of Ontario and why it is that he has not come to this House and told us why he is so far off the mark on his predictions?

Hon Floyd Laughren (Treasurer and Minister of Economics): I would—

Interjections.

Hon Mr Laughren: Whenever you're ready. I was quite surprised to hear the member for Bruce, who's risen sphinxlike from the ashes of the leadership convention over there, raise that matter, because it's the first time I'd heard that number. It comes as an absolute and complete surprise to me.

Mr Elston: Everything comes as a big surprise to this guy. Such a small package of big surprises I have never seen. The report was on the 1 o'clock news—the CBC—and reported Mr Palmer, the president of the chamber of commerce, as indicating that in fact the deficit is at \$13.5 billion. I would like to know how it is that the Treasurer would not rise in his spot—

Interjections.

The Speaker: Order.

Mr Elston: —and provide us with some indication of why that report is erroneous, if in fact it is as laughable as his colleagues believe a deficit of that size to be.

Hon Mr Laughren: I haven't heard the report or seen it, but I hope the new deficit number that's being quoted out there isn't being associated with labour reform at the same time, is it? I never know what's being attributed to or being caused by labour reform.

I can tell the leader—excuse me, the member for Bruce—that by approximately the end of this month we will be bringing out our second-quarter finances, which is traditional in the province, and that will be an update. But I can tell you that number is erroneous and I have absolutely no idea where it came from. I suggest you go to the source and find out where that number came from.

Mr Elston: It's very interesting. When we give the member a chance to tell us why it is wrong, he doesn't tell us why it's wrong. His growth projections are lower than expected. There is a decline by some 8% in the revenues as predicted by the federal government.

Last week we had our member for Scarborough-Agincourt go through all those lists of problems that face you and you were unable to put any sort of form to any defence of your projections at that point. There are also other indications that you are way out of line, and you have refused to come forward to defend your budget in a fashion which is timely enough for people to make decisions about where our economy is going.

The only obligation on the Treasurer's shoulders at the moment is to come clean with us here in this province and provide us with an explanation of why his budget projections are so far off. Will the Treasurer do that now?

Hon Mr Laughren: The House leader of the Liberal Party is simply propping up a straw man called somebody else's deficit projections and then kicking the stuffing out of that straw man. I have no idea what he's talking about.

ONTARIO HYDRO PRESIDENT

Mr Leo Jordan (Lanark-Renfrew): My question is for the Minister of Energy. Mr Minister, on September 16, you wrote to Marc Eliesen. In that letter, you certainly knew there was going to be a vacancy for the position of president of Ontario Hydro. You knew it well before Mr Holt himself knew. We know that because on September 18, Mr Holt was outlining his plan for the upcoming year in a speech to the 25-year club here in Toronto. His so-called retirement, however, was not announced until September 30. Obviously, something or someone led you, Mr Minister, to believe that Mr Holt would be departing. Would you tell this House if you ever spoke with Marc Eliesen regarding a dismissal of Al Holt prior to writing that letter on September 16?

Hon Brian A. Charlton (Minister of Energy): The member of the opposition seems to be having some difficulty understanding what I've said over the course of the last several days. He seems to be having some difficulty separating the issue of the individual in the position from a letter which I wrote about the process.

As I said in this House yesterday, and obviously the member wasn't listening, prior to my letter of September 16, I had discussions with the chair of Hydro, discussions which led me to understand that the board of Ontario Hydro was going to be confronting the issue of the president. As I said yesterday, I wrote to the chair of Ontario Hydro because as the government member ultimately responsible for Hydro, I was concerned that whatever decision the board made, and I made it clear in my letter that it was its decision to make, in fact the new president should be a subject of discussion between the new chair and the board and the decision should be made by the board in that respect.

Mr Jordan: Mr Minister, did Marc Eliesen tell you that he wanted Mr Holt dismissed?

Hon Mr Charlton: Mr Eliesen, as I have said on a number of occasions, informed me that it would be an issue of discussion with his board.

Mr Jordan: It's difficult to get a straight answer from the minister. My information tells me that there was a meeting, called a retreat, at Orangeville. The purpose of this meeting was to try to train the new government appointees to the board relative to their responsibilities as directors, because they had no idea about being directors or what their responsibilities were to be.

Instead of that, unknown to the directors, the management resource committee had a meeting Thursday afternoon and decided that Mr Holt should go. They based their decision on the letter the chairman had from the minister. They lobbied the directors that night to try and get support for a resolution that said he should be suspended immediately. They couldn't get support, so they tried another resolution that they work out some kind of arrangement, but he must go.

1430

The Speaker (Hon David Warner): And the member's question?

Hon Floyd Laughren (Deputy Premier, Treasurer and Minister of Economics): Could you get to it, Leo.

Mr Will Ferguson (Kitchener): You aren't being paid by the hour.

The Speaker: Order.

Mr Jordan: Mr Minister, I would like to ask you if you will produce not only the minutes of the September 25 board meeting, but also Mr Holt's letter of resignation.

Hon Mr Charlton: Firstly, I can't confirm what the agenda of the meeting was. I wasn't invited to it.

Secondly, I can't confirm the comments except that the member has now confirmed what I told this House yesterday and the day before, that there was no dismissal. The member has just confirmed that finally in this House.

Thirdly, I don't have the board minutes from an Ontario Hydro board meeting or Mr Holt's resignation letter. Those are questions that should be addressed to Hydro.

NORTHERN HEALTH SERVICES

Mr Jim Wilson (Simcoe West): I'd like to raise with the Minister of Health an issue that has become a crisis situation in northern Ontario. It involves the mass exodus of health care specialists from northern Ontario to the United States.

In the past year, Sault Ste Marie has lost 10% of its medical staff, including three radiologists, two cardiologists and two orthopaedic surgeons. In the last three years, Sudbury has lost 33 doctors, many of whom are specialists in dermatology, oncology, gynaecology, paediatrics, obstetrics and psychiatry.

Minister, given that your government's retention and recruitment programs for northern Ontario doctors are clearly not working, what other solutions are you proposing to help resolve this serious problem?

Hon Frances Lankin (Minister of Health): I appreciate the question from the member. The issue of medical specialists, particularly in northern Ontario, and our ability to recruit and retrain those specialists has been an ongoing issue for governments for a number of years.

The member will know that we took some steps to try and improve the underserved area program by adding some retention incentives that had not been in place before. Those incentives have just been working themselves through the system, and we hope that will have a positive impact.

I acknowledge that there have been specialists who have left northern Ontario. I would not say they're unprecedented in numbers. In fact this has been an ongoing problem. If we look at the stats, we've seen each year this kind of revolving door situation.

The member asked what in addition we may be looking at. I have on a number of occasions spoken about the need to have a more comprehensive way of managing physician human resource issues across the province, including issues of both specialty and geographic underserved area problems for specialists and other medical practitioners.

It also is a problem with respect to other health care professionals, so I think with those issues of human resources in the health professionals field, there are a number of things that are being discussed with the universities that we'll have to continue to pursue.

Mr Jim Wilson: Minister, we know from the statistics that I have cited in Sault Ste Marie and Sudbury that your government's recruitment and retention programs are not working and your approach to this serious problem is not working. We also know that most of the doctors who are leaving this province are doing so because of the policies of your government.

Dr Joan Dahmer, who has left Sudbury, said, "The feeling in the medical community is that the government doesn't value what has taken years and years to build up." All members know that Sudbury dermatologist Dr Jean-Pierre Donahue closed his office doors this week, and he's headed for Colorado. He's leaving because your government harassed, bullied and slandered him and, as a result, 9,000 patients whom Dr Donahue used to look after will be forced to look elsewhere for treatment, as will thousands more in need of specialists in northern Ontario.

Minister, where are the 40,000 patients in northern Ontario supposed to go for the specialty services they need and deserve?

Hon Ms Lankin: I know the member has cited a couple of examples, but I think he needs to be careful about generalizations. Overall, in fact the numbers for certain parts of northern Ontario have improved in the last little while with respect to retention of specialists. But it is an ongoing problem and a serious problem. I don't want to diminish the importance of the problem by getting into a dispute around these sorts of numbers.

What I have indicated to the member is that the retention initiatives under the underserved area program, which are newly implemented measures, I think will have a positive impact and I think will be helpful. But as we've indicated with respect to initiatives under the national action plan with respect to human resources for physicians flowing from the Barer-Stoddart report, we will have to deal with these issues both in terms of training of northerners, hopefully, into medical practices and into medical specialties, as well as looking at whether or not there are some incentives we can build into the program through the billing number and others. These are discussions we are having with the medical profession and with the academic health science centres at this time.

Mr Jim Wilson: Minister, you indicate in your response that the numbers are going up. Thirty-three doctors have left Sudbury in the last three years and six have gone to Sudbury in the last three years. I'd say that's a tremendous net loss.

Minister, I think you're ignoring a potentially fatal situation and the problem isn't just in northern Ontario. At the University of Western Ontario in the last two years three neurologists and four neurosurgeons are not practising in Ontario. Of these seven recent graduates, five have gone to the United States and two have gone to other parts of Canada. Ontario taxpayers have shelled out millions of dollars to educate and train these specialists, only to have them graduate and take up practice outside of this province. This is outrageous. We are losing our very best and our brightest.

Minister, why are the taxpayers of Ontario being asked to subsidize the American health care system when northern Ontarians are going without treatment?

Hon Ms Lankin: The member is quite right when he says that this is a problem not only for northern Ontario; certainly, rural areas have also experienced these kinds of problems.

The member raises a very important question, one which I agree with, with respect to the subsidizing of a very high level of education when there is absolutely no return of service that is even contemplated with respect to the training of medical practitioners.

This is an issue that is not easy to address. It's quite controversial. I hope I'll have the member's support as we pursue some of these initiatives with the universities and the medical profession.

CASINOS

Mr Joseph Cordiano (Lawrence): I have a question for the Minister of Consumer and Commercial Relations. Yesterday the minister held a press conference to say that she didn't know who, what, where, when, how and even why the government was forging ahead with casinos. The only thing she seemed certain about was that it would be fun.

As was indicated yesterday by the member for Welland-Thorold, the minister has apparently sent senior staff from the casino project office to Las Vegas to study casinos. Could the minister tell us how many staff were sent to Las Vegas, how long they were there and what it cost the taxpayers of Ontario to study casino gambling in Las Vegas? Could the minister also tell us how the expertise gleaned from this Las Vegas junket is being applied to yesterday's casino announcement?

Hon Marilyn Churley (Minister of Consumer and Commercial Relations): With respect to the first question, as I said yesterday, it was very deliberately left open. This is a pilot project. We want to work with the community and with the municipality to make sure that this casino is geared to that community and works for that community. It's a fact that we have some ideas that we will be putting on the table for discussion, but we want to work with the community.

With respect to your second question, there were five senior staff members from the project team that went off to a three-day conference. It's held yearly and this year it was held in Las Vegas, Nevada. This meeting, I think, took place over three days and it had about 90 educational seminars. It was a really perfect opportunity for us to be able to send some of our key people to one location to learn a lot from people from all over the world who have experience in this business, instead of having to bring the experts here, which would of course cost a lot more money.

Mr Cordiano: Now that the minister has this Las Vegas expertise, she has promised that she will closely study the pilot project for at least one year, but she hasn't given any indication what guidelines or criteria will be used in making her assessment.

Is she going to judge it on the impact on crime and community safety? Is she going to judge it on how much it satisfies the Treasurer's lust for dollars? Is she going to

judge it on how it impacts on charities? Does the minister really know what the difference will be between a good casino pilot project and a bad one, and can she tell us what measures of success she'll be using to make her decision?

1440

Hon Ms Churley: The actual criteria for assessment will be based on many things. For instance, we'll know it's a success if the casino does meet our policy goals of creating jobs—we think that's going to happen, but we're going to look at that—and in maximizing community economic development in the Windsor area, which badly needs that right now.

Generating revenue for the government of course will be a factor that will be assessed, and stimulating tourism. We also want to minimize the financial impact of casino gambling on charitable institutions and on horse racing industries and we want to keep a close eye on businesses in the casino's neighbourhood, such as the restaurants. We'll be looking at all of those kinds of things and it will certainly help us a lot in assessing where we go from here.

NON-UTILITY GENERATION

Mr Ernie L. Eves (Parry Sound): I have a question for the Minister of Energy. Mr Minister, you are probably aware that mining companies in northern Ontario are dependent upon cheap, efficient energy sources to operate. The private sector firm known as Sunthetic Energy is proposing to spend some \$700 million of its own money to establish a cogeneration plant in Sudbury. They have asked Ontario Hydro to negotiate with them with respect to a commitment to purchase some electricity which will be generated as a byproduct of their operation. Can you tell me what you're doing as Minister of Energy to see that this project becomes a reality?

Hon Brian A. Charlton (Minister of Energy): The member raises a question which is an extremely interesting and difficult one. It's interesting and difficult because, as the member well knows, the Sunthetic proposal in Sudbury is not the only proposal that's out there in this province. In fact there are literally several thousand megawatts of cogeneration proposals, all of which have significant potential economic impact for the communities they're being proposed in.

We have an unfortunate situation as well, though, where, as other members of the member's caucus have raised a number of times around the rates issue, Hydro has a significant surplus of electricity at the present time. Hydro has had a significant loss of revenue because of the recession and the drop in the use of electricity in this province, all of which puts significant pressure on rates, and for Hydro to buy significant amounts of additional power it doesn't need will have a negative impact right across the province on ratepayers, residential, commercial and industrial. It has a jobs impact on the entire economy.

Mr Eves: I'm glad the minister raised the issue of other proposals, because on September 4 of this year, Ontario Hydro entered into an agreement for cogeneration with Nordic Power and PowerLink Corp in Windsor, Ontario,

which I'm sure you're aware of. That proposal being accepted creates 30 permanent jobs in the Windsor area.

The proposal coming from the Sudbury area will create 250 permanent jobs, at an average wage of \$50,000 per employee for those 250 people, and will generate another 2,200 to 4,100 jobs supported by the operation of the complex, 60% of which would be in northern Ontario.

Last year, Mr Minister, Ontario Hydro spent \$664 million on capital expenditures, repairing and retrofitting fossil-fuel, antiquated power facilities in the province of Ontario. I suggest it's time you get into this century and look forward to the future, to a very valid proposal that's being proposed here that will result in employment for thousands of people in northern Ontario and produce efficient, cheap, clean energy at the same time. What have you got against that?

Hon Mr Charlton: The member's position is an excellent position as we move into a new future. Unfortunately, the member's party and decisions it made in government left us in a circumstance that has to be resolved first.

The proposals like the Sunthetic proposal in Sudbury will provide power if they proceed. They will also pay the capital costs for the developers who build them. They won't pay the Hydro capital debt, though, so what the member is suggesting by proceeding with these proposals is not only significant hydro rate increases in Ontario—that's what he's advocating in the short run—but he's also advocating that we have to start to shift the Hydro capital debt to the taxpayers of this province.

The Speaker: New question, the member for Muskoka-Georgian Bay.

Interjections.

The Speaker: Order. We were doing just fine until a certain member stirred it. If we could resume the pleasant atmosphere that we were enjoying, the member for Muskoka-Georgian Bay can place his question.

CONSERVATION OFFICERS

Mr Daniel Waters (Muskoka-Georgian Bay): Thank you, Mr Speaker; interesting question period, as always.

I'd like to address my question today to the Minister of Natural Resources. Minister, some of my constituents have expressed concern about the reduction in funding of the province's conservation officers. As I'm sure all members will agree, conservation officers play a vital role in protecting and promoting the safe use of our province's resources. What effect are the budgetary restrictions having on the ability of conservation officers to carry out their jobs?

Hon Bud Wildman (Minister of Natural Resources): I appreciate the interest of the member, and I know that other members in the House have raised this issue as well.

As all ministries in the government are responsible for helping to deal with the budgetary difficulties the government is facing due to the drop in revenues, all sections of the Ministry of Natural Resources have had to review their

operations and have had to reduce costs. As a result, we have introduced guidelines related to overtime, but I want to say clearly that it is not the case, as has been reported, that there is not going to be any overtime for conservation officers.

Contrary to that, conservation officers will be continuing to meet their obligations for the conservation of fish and wildlife in this province and enforcing conservation laws, and they will be continuing to respond to emergencies and other situations that require immediate attention whenever they require that attention.

Mr Waters: There have been specific concerns raised about the staffing of conservation officers this upcoming long weekend. There have been reports of no conservation officers at all being on duty during this period which, in some areas, coincides with the peak of hunting and fishing seasons. Can the minister offer any assurances on this matter?

Hon Mr Wildman: Roughly 50% of the province's 265 conservation officers will be on duty this weekend and will be deployed on every statutory holiday for the rest of the fiscal year.

Mr Chris Stockwell (Etobicoke West): How many?

Hon Mr Wildman: Half of them. The fiscal constraints, of course, will cause us to have some concerns, but we've got to keep in mind that we also have volunteer conservation officers, the deputy conservation officers, who will assist when they are deployed.

I want to indicate that this is one evidence of our commitment to enforcement and compliance in this province. You will know this government has fulfilled its obligations with regard to the grievance the conservation officers brought in terms of their pay levels so that the conservation officers' average income has increased by more than 40% since 1990. We are in favour of working hard to ensure that conservation is preserved in this province, and we value the work of the men and women who carry out those duties.

1450

YOUNG OFFENDERS

Mr James J. Bradley (St Catharines): My question is to the Attorney General. I don't think there's an issue in this province that is concerning more people and angering more people than the provisions and the operation of the Young Offenders Act. There is a perception in our communities that the Young Offenders Act is in essence creating a generation virtually out of control, a generation without any fear of the consequences of their illegal actions and without a healthy respect for the law and those who are sworn to uphold the law in this province and this country.

What representations are you, as the chief law officer of the crown in the province of Ontario, making to your colleagues in other provinces and most particularly to the federal Minister of Justice to revise the Young Offenders Act and restore confidence in the justice system in this province and this country?

Hon Howard Hampton (Attorney General): The member is correct that from various sectors of the public

in Ontario there is concern about the Young Offenders Act. The member should know that the Young Offenders Act is federal legislation, that the federal Minister of Justice, along with her colleagues in the federal cabinet, have the ultimate decision in terms of whatever legislative amendments might be brought forward to change or to adapt the Young Offenders Act.

I can tell the member that over the last two years we have supported and argued in favour of a stricter penalty for serious matters where young offenders are convicted in young offenders court. We have also argued in favour of better transfer provisions so that a young person who is charged with a serious offence can be tried in criminal court rather than in young offenders court. Those kinds of measures we have supported, with our federal colleagues.

Mr Bradley: Your colleagues and you yourself are not reluctant, I know, on many occasions to give advice to the federal government on pieces of legislation which are solely under the federal jurisdiction, and I know you would not be reluctant in this particular case.

Minister, even those who perhaps initially thought that the Young Offenders Act was a progressive piece of legislation that might be beneficial to young people and the community at large have to be having second thoughts about the act, even as it is written today.

With potentially dangerous young offenders at large in the community, with their identities shielded by the law, with acts of violence and serious crimes by young offenders virtually immune from punishment on the rise—and this is particularly important with adults using young offenders, who face minimal consequences, to commit serious offences—will the minister not agree with me that there is a need for immediate and substantial changes to the Young Offenders Act? Will he undertake to this House that he will make those immediate representations to the federal Minister of Justice to ensure once again that people can have some confidence in our system and that we will not be producing a generation out of control and without respect for the law and those who enforce it?

Hon Mr Hampton: While I agree with the general direction of the points the member is trying to make, I would want him to be sure to emphasize that the legislation which the Young Offenders Act in fact replaced, the Juvenile Delinquents Act, was in many ways, from the popular perception, more lenient than the Young Offenders Act is. In that sense, the Young Offenders Act has, we might say, received a bad rap. People frequently insist that it was better in the old days. In fact, it was not better in the old days.

The Young Offenders Act is trying to come to grips with some very difficult problems. I agree with the member that the federal government ought to conduct a review of the Young Offenders Act. I agree that in view of the fact that the act was drafted in 1981-83 by the federal government of that time, 10 years down the road is a good time now to conduct that kind of review. I can tell you that when we meet with the federal Minister of Justice at federal-provincial conferences, we advocate for a review.

But in the context that things were not better in the good old days, the Juvenile Delinquents Act in fact—

The Speaker (Hon David Warner): Will the minister conclude his response, please.

Hon Mr Hampton: —had even more holes in it than may be perceived with respect to the Young Offenders Act.

AUTOMOBILE INSURANCE

Mr David Tilson (Dufferin-Peel): My question is for the Minister of Financial Institutions, who of course is responsible for Bill 164 and no-fault auto insurance. Mr Minister, with respect to that bill, would you inform this House today why you are discriminating against seniors with Bill 164?

Hon Brian A. Charlton (Minister of Financial Institutions): I don't consider that we are discriminating against seniors. What we've done in our piece of legislation in fact is to put in place lifetime indexed benefits that are made up of two components. One is a benefit that, when a person is long-term disabled, is associated with his lost earning capacity. When they reach 65 that converts to a pension benefit based on the number of years they've been injured and based on the same kinds of approaches to those issues that we use right throughout the rest of this society.

Mr Tilson: I call that discrimination. There's no question that, as you have indicated—I agree with your interpretation—Bill 164 says that upon turning 65, long-term disabled people will receive reduced benefits. We both agree with that. That is what your bill says. Certainly, as you know, under Bill 164, you've done away with economic loss, you've done away with the right of suing for loss of earnings. You've taken that away. You've taken away the whole concept of economic loss.

You're shaking your head. Well, you have, you've taken away the whole concept of economic loss. You don't have the right to sue for loss of earnings. With respect to this provision discriminating against seniors, you've treated the seniors of this province even worse than with respect to your principle of economic loss. The fact of the matter is that by Bill 164 you've reduced the benefits of seniors when they reach the age of 65. Seniors have a hard enough time supporting themselves—

The Speaker (Hon David Warner): Does the member have a question?

Mr Tilson: —on the limited benefits provided under Bill 164, without the indignity of having this government reduce their income simply as they get older. Mr Minister, pension benefits alone aren't enough to survive on.

The Speaker: Does the member have a supplementary?

Mr Tilson: My question to the minister is, will you introduce an amendment to Bill 164 which makes it clear that seniors' contribution to society does not end at 65?

Hon Mr Charlton: First of all, I have to deal with one of the issues the member has raised before and raises again here today in his preamble. It's just an incorrect interpretation of the legislation we have before this House. He said on the one hand that we've eliminated the right to

sue for economic loss and then he went on to say, "In fact, you've eliminated economic loss altogether." That is just not correct.

Mr Tilson: You can't sue for loss of earnings, and you know it.

Hon Mr Charlton: You can't sue, but we've delivered a lifetime package of income loss benefits to the citizens of this province in this legislation.

Second, with respect to the other question the member raised, when the member suggests that we're reducing benefits for seniors, he seems to forget that the benefits the seniors now have are totally unindexed. The 24-year-old who is injured and who turns 65 still in receipt of benefits under the Liberal plan will get far less than any senior under this plan.

1500

NEWSPAPER REPORT

Ms Sharon Murdock (Sudbury): My question is to the Treasurer. I read the Toronto Star with interest today in terms of the editorial page, where it supposedly says that you are uncomfortable with the federal government's proposal for the national highways public works program.

As you know, I have a deep interest in Highway 69, and I want to see it four-laned. I'm hoping that what both you and the Premier have stated in terms of your support for investing in that, both the private sector, public programs and the federal government, is correct and that this statement is incorrect. I'm hoping you'll be able to clear the record.

Hon Floyd Laughren (Treasurer and Minister of Economics): I read the original story, which indicated that I had phoned Mr Mazankowski and suggested to him that, in view of the referendum, this was the wrong time for a national economic stimulus.

It's not that ordinary for that particular tabloid to be so erroneous in its reporting, but I can tell you that this is completely erroneous. I talked to Mr Mazankowski—it must be well over a month ago—when the proposal first came forward, in which case I said that our officials of the two levels of government would sit down and talk about it. What came back to the province was a completely and absolutely inadequate proposal for Ontario's share of a national program. I don't think that any members would have wanted us to accept it.

Having said that, I want to reiterate that we do not think it's a bad time for economic stimulus. It's never a bad time for economic stimulus. We've been calling for some time for a national program to improve the infrastructure of this country, and we'll continue to do so.

ONTARIO HYDRO SPENDING

Mr Dalton McGuinty (Ottawa South): My question is for the Minister of Energy. On the top floor of the Ontario Hydro building there's some construction going on. At the request of your chairman, Marc Eliesen, renovations are being made to the executive boardroom. Can the minister tell us what this is going to cost the people of this province?

Hon Brian A. Charlton (Minister of Energy): I can't. I'm prepared to request that information from the chair for the member, though.

Mr McGuinty: If the minister doesn't know, he should know. He has his deputy minister sitting on the board of directors for Ontario Hydro. His job is to keep him informed on important issues, and it seems to me that if Mr Eliesen gets his hands on the purse-strings, alarm bells should be ringing in this minister's head.

Let me tell the minister of the costs of these renovations: \$500,000 has been set aside to pay for renovating Marc Eliesen's executive boardroom. What's more, we understand that the actual costs are now closer to \$1 million. The people of this province are wondering what the heck is going on over at Ontario Hydro. We have no chair, we have no president and we might as well have no minister.

In the thick of a devastating recession, at a time when Hydro's rates are going through the roof, at a time when the people of this province are hurting, your chairman is spending close to \$1 million to renovate his executive boardroom. How can you possibly justify this obscene expense?

Hon Mr Charlton: As I said, I'm prepared to look into the matter.

LANDFILL

Mr W. Donald Cousens (Markham): Ever since Bill 143 was tabled by the government just about a year ago, one of the concerns we've had has been the whole cost analysis of what Bill 143 is going to cost the municipalities and the government. Now that we're well into the whole process of selecting landfill sites in York, Durham and Peel, I am still concerned about what the cost analysis is going to be for this.

It's a fact that the Interim Waste Authority is just squandering money and throwing it away and probably coming back to Management Board for more money. Last week the Minister of the Environment justified that overspending by the Interim Waste Authority because the tipping fees that will be collected when the landfill sites are opened up will more than justify the costs.

So far, Metro and the regions have been cut out of the process. What I really want to know now is, when the lottery, when the new casino known as the garbage dumps in the greater Toronto area is opened up, who's going to be the winner of the money? Is it going to be the municipalities and the regions or the province, or is there going to be some sharing of it? Who's going to win the tipping fees that are made from these landfill sites?

Hon Ruth A. Grier (Minister of the Environment and Minister Responsible for the Greater Toronto Area): We are all going to be the winners because the revenue that will be generated once the generous Treasurer has been paid back for the capital cost of the search and the establishment of the landfills will be devoted to waste reduction. That's what has to happen not just in the greater Toronto area but in the province: The revenue generated from disposal is plowed back into trying to reduce the amount of waste that has to go to disposal.

Mr Cousens: The minister still has the wild card and we still haven't seen it fall so that we know exactly where the dollars are—the casino. The problem is that you guys are running everything into the ground and you're going to run our garbage into the ground. The one thing I want to put on the record now as much as ever is we're all interested in reduction. Our party, our caucus and the people of Ontario understand the importance of that. The objective to reduce by 50% the amount of garbage in landfill sites by the year 2000 is commendable and worthy and we have to pursue it.

Mr Chris Stockwell (Etobicoke West): Who gets the money?

Mr Cousens: The question I'm just asked by the member Mr Stockwell is, "Who gets the money?" That's really the substance of my question: Who is going to get the money from the tipping fees? Are you going to hold on to it or is it going to be something that can go back into the municipalities? What you've said in your answer is that it's going to go for other purposes. That's not the question I asked. Who is going to get the money?

Hon Mrs Grier: Let me repeat to the member what I have said on many occasions since the Interim Waste Authority began its search for landfill sites in the greater Toronto area, that the decisions about who will ultimately own and operate those sites have not been made and are certainly under discussion, and will be under discussion, with the municipalities.

Traditionally and historically in Ontario waste management is the responsibility of the municipalities. We believe it should remain the responsibility of the municipalities. We have been discussing the whole question of powers for waste disposal and for the 3Rs with municipalities and we certainly believe, having undertaken the search, that it is by the Interim Waste Authority.

I know in committee the member thought that should be a permanent agency. I said then and I said again today that the question of who becomes the owner and operates those sites is entirely one for future discussion. It is quite certain that the revenues will benefit the municipalities where the sites are located and the people who create the waste.

The Speaker (Hon David Warner): New question, the member for Durham East.

Interjections.

The Speaker: Order.

Mr Gordon Mills (Durham East): I want to make sure that the minister hears my question. I can't hear it.

WASTE DISPOSAL

Mr Gordon Mills (Durham East): I have two questions I'd like to ask but I'm going to have to make do with one. It's for the Minister of the Environment. In my riding of Durham East I have a community with over 1,000 senior citizens who live quite close to Lake Ontario. These constituents of mine are very concerned about the proposal to build a waste transfer and processing site in the direct area where they live. They're very upset and they're very worried.

Madam Minister, what assurance can you give the residents of Wilmot Creek of the proposal to build this waste transfer and processing site? They need some assurance.

Hon Ruth A. Grier (Minister of the Environment and Minister Responsible for the Greater Toronto Area): I'm well aware, and the member has made me aware, of the concerns of the many residents of Wilmot Creek about the proposal to build a transfer station for the processing and transfer of liquid industrial and hazardous wastes. The question that has been asked by many of them is, "Will there be a hearing before this facility is approved?" I'm glad to be able to tell the member that it is the policy of the Ministry of the Environment that when liquid industrial or hazardous waste is involved, a hearing will be held unless justification is provided and argument is presented that there ought not to be a hearing.

We have currently had a request from the town of Newcastle for a hearing. We have asked for comments from the regional municipality of Durham and we have not yet received those. When those are received, then the director of the waste management branch will be making a decision.

Mr Mills: Madam Minister, I thank you for that clarification, but when I go to that meeting tonight and that community centre is packed with about 1,000 people, the burning question is, "When can we expect this hearing?" Have you any idea? Can you help me?

Hon Mrs Grier: I'll be able to ask the director to make a decision with respect to that just as soon as we get the comments from the regional municipality of Durham. But it is certainly not our practice to proceed, having asked the municipality for comments, without receiving them, and I hope they will be sent to us as quickly as possible so the uncertainty can be relieved.

1510

HOSPITAL SERVICES

Mr Hans Daigeler (Nepean): My question is to the minister who failed to protest when the Premier made the top civil service position a patronage appointment, even though she was a leading member of the civil service union. I will be reminding the members of the government of that pernicious appointment at every opportunity I get.

My question is to the Minister of Health. Madam Minister, in October 1989 the Liberal government approved \$18 million for the construction and radiotherapy equipment at the Ottawa-Carleton regional cancer centre. At the behest of the Liberal MPPs in Ottawa-Carleton, the Peterson government realized that the old facilities and equipment would soon be inadequate to cope with the unfortunate influx of new cancer cases. But since then, nothing has happened. There are tremendous lineups at the cancer centre and people are being sent to Sudbury and as far away as Thunder Bay for treatment. Madam Minister, why have you failed to implement the Liberal promise of expanded cancer treatment in Ottawa-Carleton?

Hon Frances Lankin (Minister of Health): It would have been helpful if campaign promises had some work done ahead of time, some approvals in place and been able

to proceed. What we have been doing, however, is trying to deal with the issue of provision of cancer services in all of the regional treatment centres across the province.

With respect to the Ottawa situation, there was a very significant development of waiting lists for a period of time when in fact we had some equipment failures in that area. The capital construction project—we have been reviewing all of the regional centres. I hope to be able to move fairly soon with approvals with respect to that.

The member also made allegations about people being transferred across the province. I want to say that's a very important part of the system. When something happens in one area, like equipment going down in Ottawa, we are able to access services in other parts of the province and ensure that people get the treatments they need in a timely fashion. So we're aware of the issue and I hope the member will be pleased to get responses from us within the next week or so with respect to capital redevelopment.

Mr Daigeler: It's not a question of having the work not done in time, because I spoke with the hospital and the plans have all been prepared. It's just a question that the minister has not moved on her approval of these plans. Madam Minister, through your inaction, you're causing great hardship for people in my riding and elsewhere in the Ottawa-Carleton area.

Here's what the husband of one of the cancer patients wrote recently to me, because his wife is being sent to Sudbury for radiation treatment: "In addition to being removed from the care and support from family and friends, for my wife to reside alone in Sudbury for four weeks of treatment will cause us financial hardship. She owns and operates a small store. It would mean closing her store. But if treatments are done in Ottawa she can keep the store open."

Madam Minister, what are you going to tell me that I should say to my constituents? Why have you not approved, and why have you not proceeded with the promise made almost three years ago in 1989 by the Liberal government?

Hon Ms Lankin: Mr Speaker, let me say again, promises the previous government made during elections don't necessarily mean there were plans in place—functional plans, all of the approvals in place. We are moving with respect to the capital redevelopment of cancer treatment centres on a regional basis. Ottawa is one of those. We will be getting a response out soon. In the meantime, let me say with respect to the individual, had that person had to wait and not been able to go to Sudbury, I think the member would be in here complaining about that.

This is a very serious issue. Our management of waiting lists with respect to cancer treatment is a very successful program. I think the member should actually acknowledge that what we've done for people in Ottawa is ensure timely access to treatment.

CONSERVATION OFFICERS

Mr Allan K. McLean (Simcoe East): My question is for the Minister of Natural Resources. Minister, Ontario was once a leader in Canada in the field of special investigations to combat commercial poaching, but your policies

have resulted in the special investigations unit being disbanded and reassigned in the name of reorganization. Many people are wondering what Ontario's natural resources are actually worth to you and how much you're willing to lose just to see your misguided policies implemented. Why has that been disbanded?

Hon Bud Wildman (Minister of Natural Resources): The member is correct when he says that the Ministry of Natural Resources has gone through a reorganization. He will know that the purpose of the reorganization is to involve all parts of the ministry, all professionals in the ministry and all technicians, in a team approach to managing resources so that conservation officers responsible for compliance are involved in the planning and management of forestry and fish and wildlife resources. This is not in any way a moving away from our responsibility for compliance and enforcement.

Ironically, just the day after the conservation officers' association held its press conference and made the public statements it did about cutbacks, there was a major bust, if you want to use that term, reported in the press in Timmins, where 16 people were arrested for violations and charged in Timmins related to the goose hunt on the James Bay lowlands. I think that's evidence that we are still carrying out undercover operations and they are leading to charges. We are determined to ensure that we put an end to poaching, particularly commercial poaching, in this province.

PETITIONS

MUNICIPAL DRAIN

Mr Jim Wilson (Simcoe West): I have a petition signed by several property owners in the township of Nottawasaga in my riding of Simcoe West. It reads as follows:

"We, the undersigned, object to the proposed municipal drain in Nottawasaga township known as the Highway 24 drain, as petitioned by the Ministry of Transportation of Ontario. The cost for this drainage work as planned, which would become the shared responsibility of the residents in the area, would seem to be exorbitant and ongoing.

"We feel that the drainage problem must be remedied by the MTO at their own expense, since the problem was created as a result of recent highway work. It is out of the question to expect a few local land owners to suffer this cost to correct an MTO engineering mistake made when the recent Highway 24 upgrading was planned.

"The Ministry of Transportation has not finished the job. If the MTO is not happy, leave it the way it is. We certainly will not pay for this error in engineering, and we are astounded that this is being dealt with in such a manner. It is not our problem, and we are not solving it. MTO must pay for their own engineering mistakes, and we must not expect a few struggling local land owners to devalue their property to pay for this for ever. The Ministry of Transportation of Ontario must solve their own mistakes."

Mr Speaker, that is signed by a number of residents who are affected by this municipal drain petition from the township of Nottawasaga, and I too have affixed my name to this petition.

RETAIL STORE HOURS

Mr Jim Wiseman (Durham West): I have a petition to the members of the provincial Parliament re amendments to the Retail Business Holidays Act which propose wide-open Sunday shopping.

"I, the undersigned, hereby register my opposition in the strongest of terms to the proposed amendment of the Retail Business Holidays Act.

"I believe in the need for keeping Sunday as a holiday for quality of life, religious freedom and for family time. The elimination of such a day will be detrimental to the fabric of our society in Ontario and cause increased hardship on many families. The amendment included in Bill 38, dated June 3, 1992, to delete all Sundays except Easter (51 per year) from the definition of 'legal holiday' and reclassify them as working days should be defeated."

I will attach my name, Mr Speaker.

EDUCATION FINANCING

Mr D. James Henderson (Etobicoke-Humber): I have a petition to the Legislative Assembly of Ontario:

"Whereas the British North America Act of 1867 recognizes the right of Catholic students to a Catholic education, and in keeping with this, the province of Ontario supports two educational systems from kindergarten to grade 12/OAC; and

"Whereas the Metropolitan Separate School Board educates more than 104,000 students across Metropolitan Toronto; and

"Whereas these students represent 30% of the total number of students in this area, yet have access to just 20% of the total residential assessment and 9.5% of the pooled corporate assessment; and

"Whereas the Metropolitan Separate School Board is able to spend \$1,678 less on each of its elementary school students and \$2,502 less on each of its secondary school students than our public school counterpart;

"We, the undersigned, petition the Legislative Assembly of Ontario to act now and restructure the way in which municipal and provincial tax dollars are apportioned, so that Ontario's two principal education systems are funded not only fully but with equity and equality."

That is signed by approximately 100 or so of my constituents and by me.

1520

CHILD CARE CENTRES

Mr Cameron Jackson (Burlington South): I have a petition to the Parliament of Ontario:

"Whereas the Ministry of Community and Social Services has undertaken a consultation which does not address the major policy changes inherent in its plan; and

"Whereas the policy changes are basically discriminatory and will destroy many small businesses operating as private day care centres; and

"Whereas we believe the government's commitment to child care should be in licensing and monitoring and in funding only via transfers to the municipalities to cover the costs for families in need of subsidies,

"We, the undersigned, petition the Parliament of Ontario as follows:

"That the NDP administration treat all child care operators equally, cease funding capital and startup costs of non-profit agencies, provide subsidies which will cover the true cost of care for the children whose parents qualify for assistance."

I've also affixed my own signature to this petition, on which there are over 500 signatures, including an additional series of letters.

RETAIL STORE HOURS

Mr Larry O'Connor (Durham-York): I've got a petition here to the members of the Parliament of Ontario re an amendment to the Retail Business Holidays Act proposing wide-open shopping and elimination of Sunday as a legal holiday.

"I, the undersigned, hereby register my opposition to wide-open Sunday business.

"I believe in the need to keep Sunday as a holiday for family time, quality of life and religious freedom. The elimination of such a day would be detrimental to the fabric of the society in Ontario and cause increased hardship on retailers, retail employees and their families. The proposed amendment of the Business Holidays Act, Bill 38, dated June 3, 1992, to delete all Sundays except for Easter (51 per year) from the definition of 'legal holiday' and reclassify them as working days should be defeated."

It's been signed by a number of people—I've got four pages here—and the majority of them come from the Uxbridge area. I affix my name to it.

Mr D. James Henderson (Etobicoke-Humber): I have another petition to the Legislative Assembly of Ontario regarding the amendment of the Retail Business Holidays Act proposing wide-open Sunday shopping and eliminating Sunday as a legal holiday.

"We, the undersigned, hereby register our opposition in the strongest of terms to Bill 38, which will eliminate Sunday from the definition of 'legal holiday' in the Retail Business Holidays Act.

"We believe in the need to keep Sunday as a holiday for family time, quality of life and religious freedom. The elimination of such a day will be detrimental to the fabric of the society in Ontario and cause increased hardship on many families. The amendment included in Bill 38, dated June 3, 1992, to delete all Sundays except Easter from the definition of 'legal holiday' and reclassify them as working days should be defeated."

That petition is signed by a couple of hundred of my constituents and by me.

Mr Gary Carr (Oakville South): I have a petition from members of my riding which says:

"We, the undersigned, hereby register our opposition in the strongest of terms to Bill 38, which will eliminate Sunday from the definition of 'legal holiday' in the Retail Business Holidays Act.

"We believe in the need to keep Sunday as a holiday for family time, quality of life and religious freedom. The elimination of such a day will be detrimental to the fabric of the society in Ontario and cause increased hardship on

many families. The amendment included in Bill 38, dated June 3, 1992, to delete all Sundays except Easter (51 per year) from the definition of 'legal holiday' and reclassify them as working days should be defeated."

LABOUR LEGISLATION

Mr Tony Martin (Sault Ste Marie): "Whereas the proposed changes to the Labour Relations Act reflect the fact that more women, more members of visible minorities and more part-time employees are in the workforce today than ever before; and

"Whereas these workers deserve the same access to the right to join together and bargain collectively as workers have had in the past under the act, which has tended to serve men working in large factories; and

"Whereas the proposed changes to the Labour Relations Act will bring about greater worker participation and reduce conflict and confrontation in labour-management relations,

"We, the undersigned, petition the Legislative Assembly of Ontario:

"That the Ontario government and all the members of the Legislature effect speedy passage of the changes to the Ontario Labour Relations Act so as to promote better labour-management relations and to provide women, visible minorities and part-time workers with the same rights as other workers have under the act."

I attach my name to this petition.

HIGHWAY NOISE BARRIERS

Mr Robert W. Runciman (Leeds-Grenville): I have a petition.

"We, the undersigned residents of Brockmere Cliff Road, also known as Butternut Bay Service Road, draw the attention of the ministry to the following:

"That the properties west of Brockville and south of the 401, running from the Highway 2 interchange to the Thousand Islands Parkway, are subjected to excessive and constant levels of noise resulting from the 401 handling more and larger trucks each year.

"That many of these properties are exposed to potential dangers resulting from truck and car accidents as well as tire blow-outs etc.

"Therefore, we petitioners call upon the Ministry of Transport to request provision for a safety and sound barrier along the 401 from Highway 2 to the Thousand Islands Parkway interchange."

It's signed by approximately 40 residents, and I've affixed my signature.

MUNICIPAL BOUNDARIES

Mrs Irene Mathysen (Middlesex): I have a petition here from 35 residents of the county of Middlesex who have responded to the report of the arbitrator, Mr John Brant, for the greater London area and request that the Legislature of Ontario set aside the arbitrator's report because it does not reflect the expressed wishes of the majority of citizens of Middlesex who believe that too extensive an area of land has been annexed by the city of London. These petitioners are also of the opinion that it will jeopardize

the viability of the county of Middlesex and our rural way of life. I have signed my name to this petition.

GAMBLING

Mr Ted Arnott (Wellington): I have a petition signed by approximately 50 residents from Osgoode, Kemptville and Oxford Station, and it reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the NDP government is considering legalizing casinos and video lottery terminals in the province of Ontario; and

"Whereas there is great public concern about the negative impact that will result from the abovementioned implementations,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government stop looking to casinos and video lottery terminals as a 'quick-fix' solution to its fiscal problems and concentrate instead on eliminating wasteful government spending."

RETAIL STORE HOURS

Mr Jim Wiseman (Durham West): I have another petition to the members of the provincial Parliament re amendment of the Retail Business Holidays Act proposing wide-open Sunday shopping and the elimination of Sunday as a legal holiday.

"I, the undersigned, hereby register my opposition to wide-open Sunday business.

"I believe in the need for keeping Sunday as a holiday for family time, quality of life and religious freedom. The elimination of such a day will be detrimental to the fabric of society in Ontario and cause increased hardship on retailers, retail employees and their families. The proposed amendment of the Retail Business Holidays Act of Bill 38, dated June 3, 1992, to delete all Sundays except Easter (51 per year) from the definition of 'legal holiday' and reclassify them as a working day should be defeated."

I affix my signature to that.

LABOUR LEGISLATION

Mrs Dianne Cunningham (London North): I'm going to read a petition with regard to Bill 40, and you should know that I'm getting many from all over south-west Ontario, for obvious reasons.

"To the Legislative Assembly of Ontario:

"Whereas investment and job creation are essential for Ontario's economic recovery,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To instruct the Minister of Labour to table the results of independent empirical studies of the effect that amendments to the Labour Relations Act will have on investment and jobs before proceeding with those amendments."

This has been signed by a number of people from Middlesex county, Melbourne, London and Komoka.

LANDFILL

Mr W. Donald Cousens (Markham): Part of the 7,000 petitions that were delivered last week at Queen's Park by the people from Georgina:

"We, the undersigned, absolutely reject the alternative of a Metropolitan Toronto-York region megadump and insist that you reconsider all alternatives."

I've affixed my name to this petition.

The Deputy Speaker (Mr Gilles E. Morin): Reports by committees.

The member for Leeds-Grenville, I believe that you have a report to submit to the House.

Mr Robert W. Runciman (Leeds-Grenville): Sorry, Mr Speaker, I was distracted by my seatmate. My apologies.
1530

REPORTS BY COMMITTEES

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Mr Runciman from the standing committee on government agencies presented the committee's 14th report.

The Deputy Speaker (Mr Gilles E. Morin): Do you wish to make a brief statement? No? Pursuant to standing order 106(g)(11), the report is deemed to be adopted by the House.

INTRODUCTION OF BILLS

FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY AMENDMENT ACT (FEES), 1992

LOI DE 1992 MODIFIANT LA LOI SUR L'ACCÈS À L'INFORMATION ET LA PROTECTION DE LA VIE PRIVÉE (FRAIS)

On motion by Mr Tilson, the following bill was given first reading:

Bill 83, An Act to amend the Freedom of Information and Protection of Privacy Act respecting Fees Charged for Access to Records / Loi modifiant la Loi sur l'accès à l'information et la protection de la vie privée en ce qui concerne les frais imputés pour l'accès à des documents.

PETERBOROUGH SOCIAL PLANNING COUNCIL ACT, 1992

On motion by Ms Carter, the following bill was given first reading:

Bill Pr59, An Act to revive Peterborough Social Planning Council

ORDERS OF THE DAY

INSURANCE STATUTE LAW AMENDMENT ACT, 1992 LOI DE 1992 MODIFIANT LES LOIS CONCERNANT LES ASSURANCES

Resuming the adjourned debate on the motion for second reading of Bill 164, An Act to amend the Insurance Act and certain other Acts in respect of Automobile Insurance and other Insurance matters / Loi modifiant la Loi sur les assurances et certaines autres lois en ce qui concerne l'assurance-automobile et d'autres questions d'assurance.

The Deputy Speaker (Mr Gilles E. Morin): The member for Lawrence. No, I believe the last person who spoke was the member for Oriole, and it's the time of the third party now.

Mr Robert W. Runciman (Leeds-Grenville): It is time for comments in respect to the member for Oriole's speech, is that not correct?

The Deputy Speaker: Yes, if you wish to make any comments, but she's not here to respond.

Mr David Tilson (Dufferin-Peel): I'd like to make a few comments, and maybe she'll come back and respond to them.

The Deputy Speaker: You have two minutes to do so.

Mr Tilson: The member for Oriole spent some time on the subject of the existing law, the Liberal bill, which clearly has proven to be unworkable. The threshold test the Liberals have put forward is completely impossible. The NDP threshold test of the deductible is not much better.

I think the main message of the member for Oriole, which I would hope members of this House would spend some time on, was to think again, think it out again. The bill was introduced last December, and it was prepared without any actuarial studies. The actuarial studies that were finally put forward by the minister were introduced just several days ago; of course, the minister held on to those actuarial studies for over four months before he introduced them. But I think that's the main message from the member for Oriole, and I think we should respect that: With the debate that is coming forward in this House, we should think this over.

The number of innocent accident victims who are losing their rights is going to be unbelievable. Already people are coming to our offices—not just my office, but other offices—explaining the frustration they're having with the Liberal bill. Now there's no one to go to. You won't even be able to go to seek legal advice on anything because everything is going to be reduced to benefits. We're all going to be treated the same. No matter what your individual injury is, no matter what income you're making, we're all treated the same.

I think the message the member for Oriole put forward is to think again before you proceed with this bill.

Mr Stephen Owens (Scarborough Centre): It gives me pleasure to respond to some of the remarks made by the member for Oriole. First of all, the member indicated that she was pleased to see that indexation has become a part of our bill. If she was so pleased, it's unfortunate she didn't take the opportunity when she was in cabinet during the previous government to lobby the former Minister of Financial Institutions.

The member for Oriole mentioned the issue with respect to the withdrawal provisions within our piece of legislation. She claimed these were anti-business provisions. On the contrary, these provisions both protect the consumer from undue disruption in the provision of premiums or insurance policies and it protects the industry by preventing withdrawal without any consultation with the Ontario Insurance Commission.

The issue was raised with respect to premium increases and that the reason the premiums have recently been lowered was the result of the Ontario motorist protection plan actually working. I would suggest that the member for Oriole was being economical with the truth in that respect.

It's only through the work of our minister, the Honourable Brian Charlton, and his work with the insurance industry that these premiums were lowered.

In terms of the comment with respect to the cynicism of the voters, I wonder if the member for Oriole actually went to her constituents and said, "Constituents, as a result of our piece of legislation, in the first six quarters"—I say the first six quarters again—"the insurance industry cleared a net profit of \$1 billion." One billion dollars; that's the kind of thing that makes voters cynical.

When you look at the gaps with respect to the rehabilitation—

The Deputy Speaker: Thank you, the time is expired.

Mr Runciman: The NDP member just made reference to making voters cynical. In terms of people being cynical, they look at the promise the NDP has had for so many years. They ran the 1987 campaign—Mr Speaker, you'll recall this—with limousines pulling up in front of Queen's Park; the barons of the insurance industry getting out here and the Liberal government of the day and the previous Conservative government catering to the insurance industry and that these people were going to correct this wrong by bringing in government-run auto insurance.

And what's happened? They've completely gone back on that principle and the platform this party stood on and fought so many elections on for so many years. Talk about being cynical. That's the sort of thing they're really cynical about.

In response to what the member for Oriole said, a lot of the problems we're facing now in respect to auto insurance are the direct result of the Liberal government of which she was a member, a member of cabinet, a very influential member. We all remember when Mr Peterson in 1987 said—I think to say it was not the truth is accurate; I'll be polite—that he had a very specific plan to lower automobile insurance rates. He had no such plan. Shortly after that announcement, Justice Coulter Osborne—the government had spent over \$1 million for him to conduct a study of auto insurance in this province—was completely disregarded, while the government tried to scurry around to find a response to the promise that Mr Peterson had made during the election campaign that he had a specific plan.

As a result, we've had nothing but uncertainty in the insurance industry. We've had one plan after another. We've had millions upon millions of tax dollars spent. And what's the result of this? The people who are really suffering, as my colleague Mr Tilson just mentioned, are the innocent accident victims in this province. They're the people who are suffering as a result of the ill-considered, ill-thought-out Liberal plan brought in in the spring of 1990. We're all paying for that.

1540

Mr Peter Kormos (Welland-Thorold): I want to indicate that I will be speaking to this bill in around 30 minutes, at around 4:05, and I'll be exhausting the 30 minutes that are permitted any member of this Legislature and will be addressing, as capably as I can in that time frame, the issues as I see them.

This debate carries with it, as I'm sure it does for you, Speaker, some real déjà vu, a real struggle between little people, people who are powerless, people who are victims, people who oftentimes have no voice, people whose bodies are broken and whose futures are stolen from them, and in contrast, big, powerful institutions: insurance companies that have at hand extreme wealth, extreme power, and government, which has extreme power and an intrusiveness that grows on a daily basis.

I'm a New Democrat. I've been a New Democrat now for over a quarter of a century, lured, as I was, into the New Democratic Party by Tommy Douglas—who came to Welland and spoke on any number of occasions and whom I had the chance to meet as a kid and who impressed me—and of course people like Donald MacDonald, Jim Renwick and Mel Swart, very much still with us. These people taught me that New Democrats protect the little person, New Democrats fight for the people with no voice, New Democrats fight for the people who aren't strong against those powerful institutions, be they big corporations or big government. I tell you, that's why this bill is wrong.

The Deputy Speaker: Thank you, time has expired. Are there any members who wish to participate in the debate?

Mr W. Donald Cousens (Markham): I know I cannot respond for the member for Oriole. I wouldn't have any defence for the attack that's been brought forward by honourable members in this House. She'll have to have that opportunity on another occasion.

We are dealing with a bill that has far-reaching consequences for the people of the province of Ontario and is another one of those things happening at Queen's Park that will impact the many millions of people in Ontario who are involved with automobiles and their insurance. It's called Bill 164, 34 pages in length, French and English. It's not easy to understand, but there are several things about the bill that are easy to understand, and I think it's important for the public at large to understand some of the consequences of what's happening.

The first thing to understand is that the government has welshed on a promise. When the New Democrats were sitting in opposition, screaming and shouting about other proposals for auto insurance, they came along and said, "We will correct the situation and we will bring forward our own government-run automobile insurance program." They campaigned on that, and that's one of the reasons the member for Welland-Thorold, a New Democrat, continues to be exercised over the fact that this government has failed to live up to its promise. In our House we at one time had a high regard for integrity in what one said and what would follow afterwards. This is a government that really has gone back on a very significant promise.

It's one of those situations where I'm glad they have; there are other situations where they have gone back on their earlier promises and it disappoints me greatly. The problem is that there are people who voted for the Minister of Financial Institutions, Brian Charlton, and Mr Rae and his colleagues because of certain things they stood for

when they were running for election on September 6, 1990. They said that because this government seemed to have a monopoly on caring, people who were going to stand up for environmental rights, people who were going to fight things that were injustices to the workers, therefore they would see them as an option to vote for on September 6.

Many, many of those people today, if they had a chance, would like to recall that vote. If they could, they would recall this government, but unfortunately, in the parliamentary system of the province of Ontario there is no way that anyone can get rid of a government once it's been elected, unless it's a minority government and it loses a crucial vote here in the Legislature. Otherwise, there is nothing we can do to unseat the New Democrats until they've completed their term.

Therefore, when people come to me and my colleagues and say, "Can't you do something?" the major thing we can do is put on the record the concerns we have and hopefully convince this government, its members, its leaders and its party, that what it's doing is not right, it's not good, it's not balanced; rethink it, come back and look at it another way.

The New Democrats have an agenda which they are pursuing. Nothing is going to stop them. As they walk down the road for the next two and a half years or to the very end of their term, they will fulfil as many of their own agenda items as they possibly can, at which time, when there is a new government elected, which will not be New Democrat, it will be a major job for the next two years after that to try to reverse the trends and decisions that have been made by this group of politicians.

I have to say it concerns me and it concerns Ontario, because you're dealing with a government that has lost its balance and lost its respect for the varying options that can and should be considered.

As we look at the whole business of government-run insurance, on the one side I'm glad they've backed off on it, but what really is part and parcel of it is that we're dealing with a government that was elected on a series of promises and commitments and now is backing off on them.

The tragedy is that in Ontario there is no way you can go back and recall a government. In Arizona, just over a year ago, more than 50% of the population signed a petition that caused the governor of that state to resign and, therefore, the people had some say during the term of office. What say do the people of Ontario have against this group during its term of office?

Except for the ability of the opposition to present and focus on issues, except for the ability of the media to draw the attention of the public at large to what they're doing, except for those who are genuinely interested in what's happening through their trade associations, through watching this TV, through reading Hansard, people as a whole do not understand the absolute damage that is being done to this province, not only to individuals, as we now see with this auto insurance bill, Bill 164, but with the numerous other decisions they're making.

Casino gambling is typical of this government where it's come along, always opposed to its principles, and now shows it has no principles by bringing in casino gambling.

They're having a test site in Windsor, and so they're hoping to make Windsor a tourist mecca.

It's ludicrous that these people call themselves politicians. I call them closer to something like lunatics, something that comes off another fringe of society, fanaticism for an idealism that really doesn't deal with the world. I see that with the Minister of the Environment, who has not listened and will not listen to views opposing hers. You see that with the Minister of Labour, who does not listen to the business community when we're talking about changes to Bill 40. You're seeing it with the Treasurer, who comes along with bills that increase the deficit of the province in such a way that we are now far more in debt than ever.

In every different aspect, this government has gone its own singular way against the advice of the community as a whole, against its own principles and against the best interests of the people of the province of Ontario. It fills me with a sense of outrage that this government, elected on a set of principles and promises, can back away on them so easily.

As we deal with the whole issue of auto insurance, there isn't any doubt that the government is going to forge ahead with its own views. I'm going to touch on a number of issues that really bother me with regard to the bill, but the first point that I make is, we're talking about—

Mr Tilson: On a point of order, Mr Speaker: Before the member for Markham starts in on his debate, there doesn't seem to be a quorum. I think we should have a quorum to hear the member for Markham.

The Deputy Speaker: Will you please, table, check if there is a quorum? A quorum is present. The member for Markham, you have the floor.

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Mr Cousens: Thank you for these people coming in. I appreciate that.

Mr Tilson: They snuck in.

Interjections.

The Deputy Speaker: Order.

Mr Cousens: The other issue has to do with what the Liberals caused to happen when they were in power. Again, there isn't any doubt that when Mr Peterson—a name you don't hear mentioned too much in the Legislature any more, who was in power from 1985-90—said he had a plan, a specific plan to reduce automobile insurance premiums, as it turned out, he didn't have one. So there again, it doesn't add much to the credibility of politicians when you have that from the Premier at the time, who is indicating that he has a real strategy to do something for automobile insurance victims and, as it turns out, really did not have it.

The fact of the matter is, the Liberals brought in a flawed piece of legislation. I don't think there's any doubt that the automobile insurance programs as they exist in Ontario, though some people are happy, just haven't had the kind of balance that was needed.

Certainly, the kind of thing that we want to see in the automobile insurance program is not the kind of direction that is being taken by this government. Tens of millions of

dollars have been spent on studies and analyses to try to develop a solution for Ontario's automobile insurance.

Chief Justice Coulter Osborne, for one, came out with a report which begins to identify a number of ways in which tort can be reformed. A lot of people say, "I wish when you're standing up in opposition to things that you could point to another option." That is one of the directions that I would liked to have seen the government look at far more carefully, to look at Chief Justice Osborne's report and review ways in which tort itself could be modified, limits could be indicated, and in that way there'd be a fairness to the Insurance Act.

But what we have here right now is a system that's being instituted under Bill 164 which does not give a person a right to sue for past, present or future earnings. The kind of example that probably best illustrates the situation is that, first of all, you're talking about a government that wanted to bring some equity to this insurance bill.

I then say what would happen with your bill if a medical student had completed his or her university degree, completed their internship, then they graduated, ready to start to practice somewhere in northern Ontario, where we need more practitioners, and there's an automobile accident which incapacitates this young, intelligent, dynamic, trained person from beginning their career? What happens is that their career is finished at that point and there isn't any chance for that person to begin to earn their potential. So what will happen under the new capped system of benefits that are provided by this government? That medical student will be limited to a very minimal amount for the rest of his or her life. So therefore there is no understanding or appreciation of the greater context of that person as to their dream, as to their ability, as to all the preparations that they've gone into to get ready for life.

Today more and more we have women who are professionals in the workplace and they take a period of time off to have their families and then they will return to the workforce. So while they're home as mothers and looking after their families and getting them started, again one of the tragedies of life that can happen is that that mother may have an accident. How will she be remunerated for that accident? What right will she have to sue for real loss as to the present and future earnings and benefits that she would be entitled to as one who really was an executive earning a good income, but then, while being a mother, had made the sacrifice of that kind of return and now, with an accident, is not able to be measured against her potential but is measured against a standard that has to do with what she was doing when the accident took place?

What is happening is that these people are being segregated. These people are being punished because of where they sit in society at that particular time. I think of the self-employed person who has his own business and has an accident. The benefits from that accident would amount to about \$22,000, so what happens then? Not enough to sustain the business, not enough to sustain his family and his income the way it was; probably moves closer and closer to a welfare situation and is less able to be accountable for his own family and responsibilities.

What I see is, this government's action by this bill is somehow giving everybody a very low common denominator, not accepting the fact that there are some people who have achieved more, have gone further and have developed a different lifestyle. There is no way in which this Bill 164 gives them any kind of understanding or appreciation for their position and for their status and for what they've attained. Everyone will be at the lowest common denominator and, as a result, the return to those people will be far less than what they need in order to live in the way in which they were accustomed.

I don't want to see people ending up making a lot more through insurance claims than they could ever possibly enjoy or have. That is one of the tragedies of unlimited tort where people could sue for any amount, and that's how they'd make their lottery, that's how they'd make their million, because they'd be able to sue at the expense of someone else. It's a mentality that developed in the United States, has drifted into Canada, and more and more people seem to think that's the way they're going to get ahead. Sue someone, and that way you'll be more successful.

I don't go for that. I think there's something tragic about that kind of approach to life and to the approach of accidents and incidents, but let there be at least a responsible return so that people are able to live according to their own lifestyle as they have been accustomed.

Mr Kormos: A little bit of accountability to the wrong people.

Mr Cousens: Absolutely, I couldn't agree with you more, and some accountability for the wrongdoing that takes place, so that someone who has been wronged has again some return that comes into it, and I accept that. Not being a lawyer, I'm not able to draw on some of that kind of experience, so I give credit to the member for Welland-Thorold for that suggestion, and I do agree.

As we look at the issues then, I say that the government, in Bill 164, has failed to understand the responsibility to an individual to be able to live and enjoy life within a standard to which he was accustomed, because there is no right within this bill to sue for present, past or future earnings, and I believe that should be implicit to a bill that's being looked at.

Tragically, Mr Charlton, the Minister of Financial Institutions, has not seen fit to put it in to this point. He still could. I see him sitting in his chair and smiling, as he is wont to do. Maybe he will also have a chance to think about this and incorporate it, because there's still an opportunity.

Hon Brian A. Charlton (Minister of Financial Institutions): Just speaking to your old friends.

Mr Cousens: Well, we go back a long way, Brian, and I just hope there's some way in which our words will come through and maybe there will be a chance of some change to be made.

Pain and suffering? Obviously the Liberal bill had a tremendous flaw to it, because of the example that my colleague the member for Dufferin-Peel expounded on at length and the whole example of the Meyer case, which proved that the previous Liberal legislation that we've

been living with for the last few years is unworkable. My friend and colleague Mr Tilson, who by the way has done a superb job in presenting the Ontario PC caucus's and the general business community's views on this in a most articulate and commanding way, has talked at length about the Meyer case and I want to commend him for that, but it brings out the failure of Bill 164 in not being able to deal with this whole pain and suffering issue. It looks as if in order to get any kind of return from this government it almost has to be catastrophic, and that is not always the case with some of the injuries that people have inflicted upon them in these accidents.

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What this government's come forward with is a rather convoluted system where it says you can sue up to \$40,000 or \$50,000, but then with the deductible that comes into this of \$15,000—I'd love to hear a better rationalization than I've had from the minister and his staff and ministry to this point on why you have to have a deductible of \$15,000. That really doesn't make big sense because if a person has a claim of a certain amount of, let's say, \$50,000, you've got a deductible of \$15,000 that brings it down to \$35,000 that they would receive for pain and suffering. Then on top of that there are legal fees incurred. There is no appreciation within your deductible for legal fees.

If you would accept an amendment to include in the deductible any of the costs incurred by a victim in trying to claim what is due to him or her, that could help accommodate the restriction you've made that says there's an automatic deductible of \$15,000. So a person who wins, in his claim, \$20,000 or \$50,000, automatically has that deductible removed.

I challenge the minister and his staff to review that to see if there's some way we can have more of the money claimed for the person who is obviously victimized by the accident, then has some kind of remuneration for it.

I know for a fact that there are many people who suffer pain and suffering from these accidents. When we're healthy and well, I don't think we really understand just how fortunate we are. Most of us in this Legislature and those of us who are healthy take it so much for granted. It wasn't until this summer that I had an accident and realized just how much an inconvenience it was and how difficult it was to get my strength back from it and just how much I needed the physiotherapy and the other things to bring back my strength after I fell. People who are in an accident—I have to say, it happens so easily.

I was involved in the horrible accident on Highway 400 this summer, as another incident of my own short lifetime, where the transport came across the highway. One truck was damaged and the driver was killed instantly and some 10 trucks were knocked off the road. My wife and I missed by only a few feet from being hit by that truck as it came past us.

The damage, the suffering, the pain that comes from something like that doesn't last just for the moments of the incident, they go on and on for an extended period of time. Not to recognize what that pain and suffering is to them in their lives—the limitations it puts upon them, the restric-

tions it gives them, the sense of putting them down for the rest of their days—is very, very serious.

The compensation they get hardly begins to make up for the true pain and suffering. Having seen what people went through in that accident first hand, I really have to say we all have to understand that the government owes a sense of balance and that balance has to be reflected in this kind of a bill.

To have a deductible of \$15,000, to have such a limited amount is a matter where I think there is room for us to negotiate. I can tell those people who are watching this Legislature in action today that if this were a minority government, if the New Democrats had not the number of seats that give them the large majority they have today, this bill would not pass on this issue alone. The Liberals and the Conservatives would vote together, I'm sure, to put down this point and the bill would come out in a far more balanced and moderate way to address some of these concerns.

I'd want to know, again, and the minister has not explained this point at all, a third issue I have, in addition to the fact that there is no right to sue and that the government is very limited in what it will allow to be paid out for pain and suffering. I want to know why the government would have a clause in this bill that would restrict an insurance company from leaving the province.

I can see that as long as the New Democrats are in power, maybe that's one way of trying to keep a few people here, because we're talking about an evacuation, as people are leaving Ontario as long as the New Democrats are in power. That's probably why the motto that's becoming more and more pronounced, "Survive till '95," is more and more meaningful, until the New Democrats call an election and get kicked out of office.

But why would this government include in this bill a section that will cause any insurance company that wants to leave the province to have to apply to the Ontario Insurance Commission, and it may be necessary to pay a penalty to get out or it may even be refused the right to leave Ontario? Where are your democratic freedoms at that point? Why can't companies come in and go? If they have legal responsibilities that have to be met, then make sure they're kept.

Mr Tilson: That's one way of keeping business in Ontario, pass a law that says they can't leave.

Mr Cousens: That's exactly right. The member for Dufferin-Peel says that's one way to keep business in Ontario, pass a law so they can't leave. That is the kind of dunderhead move that would come from this government, which is totally unacceptable.

Why does the government not review this? It just doesn't make sense. It does not add up to a democratic society. Is it any wonder that people don't want to come and invest in Ontario if you're going to have a government pass laws that say you can't move out of Ontario? That is the kind of dumb move that is causing the business community to say: "I don't think I'll invest in Ontario. In fact, we'll move our business elsewhere for the time being until there is a government that will establish a better environment for business."

This government is not establishing an environment for business to want to establish businesses here with the very kind of thinking that would cause a government to include in Bill 164 this kind of regulation that only those that are given an approval by the superintendent would be allowed to leave and they may well be required to pay a fee.

Maybe that's what this government should be doing to General Motors to make sure it stays in Oshawa or to Ford in Oakville or TRW in Penetanguishene which is moving its 192 jobs from Penetanguishene to Mexico, or to the people in Napanee who have lost their jobs to a warehouse, and what they were building before is going to be manufactured elsewhere.

Is that one way for this government to do it, instead of trying to create a climate where there is a chance to succeed, where the government doesn't overtax you so much, where the government allows you to move ahead and where the government infuses into the economy a sense of confidence that the government's not going to tax away all the profits you make? Not only are we one of the highest-taxed jurisdictions in the world; this government now makes it difficult for business to even set up and get going and move ahead. Therefore, outside capital is reluctant to invest in Ontario.

That's a fact. The New Democrats don't want to listen to it. The New Democrats don't want to believe it. The New Democrats aren't prepared to act upon it. So I say to the people of Ontario that we have to survive till 1995, at which time this will be another one of those regulations—it's now more than regulation; it's in an act, it's in a bill—that we will withdraw, that we will change and remove because it's the kind of lunatic move that just doesn't make sense to business.

If you're doing it to the insurance industry, why don't you do it to other industries? That's what they're going to say and that's what they're going to fear.

I challenge the government. Go back to your Bill 164. Remove these segments from the bill that cause other people to worry about what you're going to do to them. Let yourselves be a little bit more honest and let yourselves be a little bit more fairminded to those people who want to come into Ontario.

Then I look at what the Insurance Bureau of Canada indicates. They're telling us that insurance rates could go up by up to 20% with this bill.

Mr Tilson: A minimum of 20%.

Mr Cousens: A minimum of 20%. When the Honourable Brian Charlton, Minister of Financial Institutions, brought in this bill he was saying that rates will go down by about \$45. Now he's no longer saying they'll go down by \$45; he's saying the rates won't go up. Will you put that in blood? Will you put that on your job? Will you quit if they go up? The problem is, who will really care at that point because you'll be out of office anyway?

I'm saying that this government was not representing the case properly and fully to the people of Ontario by saying, when it was bringing in its new automobile insurance bill, that rates would go down. They won't. They're going to go up by a minimum of 20%. Already we're in a high tax

bracket and now, because of government interference, the rates are going to go up again. It will only make sense.

The insurance companies can't provide a service unless in fact they're going to recover the money. They're not a charity. They're in business for profit, and there's nothing wrong with profit. But if the government is going to mandate and legislate certain kinds of minimum restrictions within a policy, then the insurance companies are going to have to raise that money through premiums.

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The payer is going to be you and me, the taxpayers, the people who drive automobiles. The people who are out there are already paying so much for their automobile insurance that they're looking for ways of keeping the cost down. When the minister started this ordeal, he said that the price of automobile insurance would go down, by up to \$45. Now he's saying it's going to stay the same. I'm saying the minister is wrong. Insurance rates are going to climb. They're going to go up. My facts come from the Insurance Bureau of Canada. My facts come from Allstate Insurance, a major insurance company in my riding. They're all concerned about that.

Then how do we deal with the next issue I have? I am running out of time, but I briefly will have an opportunity to put it on the table.

Mr Tilson: Ask for an extension.

Mr Chris Stockwell (Etobicoke West): Unanimous consent.

Mr Cousens: I don't think there would be unanimous consent. The New Democrats don't—

Mr Tilson: The Liberals aren't here.

Mr Cousens: Is there unanimous consent that I'm allowed to continue with my speech?

Interjections: Yes.

Interjections: No.

Mr Cousens: That's good, Mr Speaker. You heard unanimous consent.

Interjection: I've heard enough of you. I don't want to hear any more.

Mr Cousens: I won't go for any more than half an hour on this one point. It has to do with seniors and people over the age of 65. Why is it that we can't treat people over 65 as fairly as we treat people who are any other age? Why is there in this bill discrimination against seniors? Why is a person who is a senior in a car accident or who becomes a senior after a car accident going to have a different set of rules imposed upon him? Why is it that this bill starts coming along and treating seniors in a different way? There is no reason in the world why this government, which when it was in opposition said it had a monopoly for caring, would come now and in Bill 164 bring in special rules and regulations that will cause seniors to be the victims of this legislation.

When you're a senior, you shouldn't be treated differently from anyone else. If anything, we should be taking special care of our seniors. We should be looking for ways so that they are able to continue to live, prosper and be respected in our society. But when you have a bill that

comes along and says, "Aha, once you hit 65, we're going to bring you in; we're going to have a special review," we are starting to discriminate against them.

The Deputy Speaker: Thank you.

Mr Cousins: Mr Speaker, I think I've had my time extended.

Mr Jim Wiseman (Durham West): We had to give you unanimous consent.

Mr Cousins: Did we not have unanimous consent?

The Deputy Speaker: Thank you. Your time has expired. Questions and comments?

Mr Joseph Cordiano (Lawrence): I just want to say that I agree with some of the things my colleague said, but not all of them. I thought I heard in some of his remarks and some of the prior comments that were made by some of his colleagues with respect to the plan that exists now that was introduced by the Liberal government that it was suggested that we didn't have a plan to lower rates, that it wasn't going to work, that it was ill-conceived and badly thought out. I say to the members from that party, the Conservative Party, and others who had made those comments that the plan is working just fine.

Rates are lower. Rates are reasonably stable. In fact, the plan is working so well that a lot of people who have been surveyed—polls were conducted—suggest that the plan is a successful one. There could be adjustments made to improve it, but why is this government tinkering with this plan, actually gutting the plan to make changes that are ill-conceived, that will ultimately increase the price to consumers? Premiums will definitely go up. There is no doubt about that. Why are you making these changes when the plan is working so well at the present time?

Mr Tilson: The plan is not working at all.

Mr Cordiano: It is working well. Premiums have been kept to a minimum, and yet these people want to increase premiums to consumers. That is going to be the fundamental end-all for this government. The premiums for this new plan will increase. There is no doubt in anybody's mind that premiums will go up.

Mr Tilson: I'd like to congratulate the member for Markham for putting forth a number of views that seem to be recurring throughout in this debate, and I hope the members of the government do listen to those points.

The one point that he did raise which I would like to emphasize is the principle of the deductible. The minister will probably stand up and say, well, what he's trying to do with the \$15,000 deductible is reduce the frivolous claims, and that if you have that minimum amount, the frivolous claims, the claims for the fake back injury, the fake injuries, will be reduced. I would expect that somewhere in this debate he or the parliamentary assistant will stand up and say that.

The difficulty with that whole principle is that if you end up suing for damages, if you go and receive advice that your damages for pain and suffering are \$20,000 or \$25,000, you're only going to be, in fact, suing for somewhere between \$5,000 and \$10,000. So you may be doing away with a number of the frivolous claims, but there's no

question that you'll be doing away with more than that; because you would be foolish to take an action and sue for \$25,000, knowing you're only going to recover \$10,000 of that. Your legal costs will probably be \$5,000 to \$10,000 to recover.

Aside from that, there's the principle of the people who have been very seriously injured. You are penalizing those people as well. Those people who have been suing for very serious injuries, the quadriplegic type of injury, where large claims may normally have been given for pain and suffering, those people are penalized as well because the deductible is going to be reduced from their claim as well.

So in an effort to reduce the frivolous claims, which I suspect is his main reason for putting forward this principle—and I did call out to him that I don't know where he came up with the figure of \$15,000. I suppose he's saying that anything under \$15,000 is a frivolous claim. I hope he's not saying that, because some of us who have been very seriously injured consider \$15,000 a lot of money, and I think the average person in this House looks at \$15,000 as a lot of money. So rethink the whole principle of the deductible.

Mr George Mammoliti (Yorkview): This has always been an issue for me. I can remember listening to the Liberals and the New Democrats and the Conservatives debate this a few years ago, and I can remember talking to some of the residents and some of the union members that I represented as well, because this was an issue on the floor that I can remember speaking about. I can remember how emotional it got as well in terms of the right to sue and the frivolous claims, when that was brought up. I can also remember, after our election, the emotion that I had witnessed in terms of car insurance and that whole debate. Frankly, it's no secret: I'm still hoping that eventually some government, or our government one day, will take it over, because I strongly believe that we should, still.

But with that and having said that, I also understand why we did what we did. I can understand that laying off 6,000 or 7,000 employees at this particular time is the wrong thing to do. I understand that compromise is important and I understand that bringing back the right to sue will make a lot of people happy. My constituents are happy with that. My constituents are happy with controlling the frivolous claims, and if that's what the \$15,000 deductible is going to do, then I'm happy with that. I think we've got to talk a little bit about that, and I'd be willing to do that, but I want everybody in this House to remember one thing: Bringing back the right to sue will certainly make a lot of people happy. Let's not forget that.

Mr Stockwell: I guess I would like to say that I think the member brought up what I consider to be some very reasoned and sound arguments. I would remind the government that some of those same arguments were the arguments that you used when you were in opposition. So it's particularly discouraging. Some of those arguments were the very same arguments. There's no doubt about it. I don't say all of them, but it's particularly discouraging to me to think that this government, holding this issue with such importance pre-election, could have members standing be-

fore this House today and saying the kinds of things that the previous speaker did. It seems rather illogical that laying off 6,000 or 7,000 people was an issue after the election. Why was that not an issue before the election? Why was it not something you thought through before the election about government-run auto insurance?

Now the conclusion one would draw is that you simply didn't think it through. I can't believe that after the length of time and debate that took place in this House you hadn't given this particular issue enough thought. And you were going to restore the right to sue, period, case closed.

I can only assume this then, one of two things: Either you did not give this enough thought in opposition or you simply didn't mean what you said. So having a minister here who is nothing but a public apologist—and it's shameful. It's discouraging, it's depressing to see a member stand before this House as nothing more than a public apologist. Standing on this side of the House now, the only conclusion I can draw is that you may well have used your member for Welland-Thorold to get yourselves some votes, and that is truly shameful.

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The Deputy Speaker: The member for Markham, you have two minutes to reply.

Mr Cousens: I'd be pleased if the honourable minister who stood and wanted to have a response would be allowed to do so if there is consent for it. I'm always glad to hear from him, and there might be a chance that there is a new gem of wisdom coming up. We keep running out of time.

I appreciate the comments from my colleagues the member for Etobicoke West and the member for Dufferin-Peel. I know that when you work from the position that we are, having thought it through, trying to find a balanced solution, it becomes all the more of a moment of anger when you see the way in which the New Democrats are just frittering away their promises and the trust of the people of Ontario. That is really something that does grieve us.

The member for Lawrence, I have to tell you, the plan the Liberals brought into effect is not working well now. There are many problems to it, and I suggest you read the speech that was delivered earlier by the member for Dufferin-Peel and he'll point out a number of the issues that are outstanding to it, so that the government did have to act on it. Unfortunately, the actions that are being proposed are far less than satisfactory.

I can see how the New Democrats might well, if we have more members like the member for Yorkview, be bringing in government-run auto insurance. I don't think that's out of the realm of possibility. It's very much still on the agenda for certain New Democrats, and should the New Democrats ever find enough who think like that member and a few others who are nodding their heads, because I can hear the rattling, then in that case—

Ms Sharon Murdock (Sudbury): So unnecessary.

Mr Cousens: I take that back. That's unnecessary. It was just so loud.

The problem we've got is that the New Democrats could still bring in this kind of legislation that will elimi-

nate the automobile insurance industry. Some 6,000 to 7,000 jobs isn't something you just slough off, but it's something they could legislate out at any time.

The Deputy Speaker: The member for Welland-Thorold.

Mr Kormos: You know, this is a remarkable occasion for me, because I'm going to tell you right off the bat, and people who might be listening or might want to listen, I'm not going to speak in support of Bill 164. I tell you without hesitation, with a great deal of sadness, but I tell you with no trepidation, I stand here and I tell you that I speak against Bill 164 as bad legislation; ill-conceived; yes, poorly written legislation and, most importantly, a complete betrayal, the most cynical of breaches of trust.

There may have been any number of NDP policies that weren't universally known across the province or there may well have been people who didn't know that New Democrats believed, let's say, in pension reform. There may well have been people who didn't know the New Democrats believe strongly that the surpluses in pension plans belong to the workers and that it was important to reform those pension plans and index pensions before those same surpluses were ravaged by the corporate entities, as they have been in the last two years.

Not every voter in the province might have known that New Democrats stood for increasing the level of provincial funding for municipal school systems to a minimum of 60%. There may well have been voters out there who didn't know that was an NDP policy and not one that was conjured up in those heady days and weeks before an election, but one that had been a significant policy for years and years and years, enunciated not just by candidates on the doorstep but by New Democrats in this Legislature speaking as an opposition, and an effective opposition.

That being the case, I can't think of one voter in this province who couldn't have known where New Democrats stood on auto insurance. Surely there isn't a person in this province who couldn't have known where New Democrats stood on the issue of auto insurance. Clearly, in the debate around Bill 68, the Ontario motorist protection plan—how dare they call it that, but that's what the Liberals called it, high-priced help—if the taxpayers only knew what it costs to package these weird, wacko, bizarre things, they'd be outraged. Surely the debate about Bill 68 alone expressed clearly across this province, even beyond the jurisdiction of this province, to people across this country, where New Democrats in Ontario stood on auto insurance.

New Democrats in Ontario stood with New Democrats and CCFers like Tommy Douglas in Saskatchewan in 1946 when he created public auto insurance. It's a public insurance system that persists to this very day which provides no-fault benefits but also provides for innocent victims the full, unfettered right to full compensation for all of their economic loss and indeed compensation for pain and suffering and the right to use the courts to seek justice.

Like the CCF, NDP systems in Manitoba and British Columbia, which, notwithstanding subsequent governments—certainly not of NDP persuasion—some of them the most reactionary governments this country has ever seen,

like the Social Credit government of British Columbia—remember Bennett, who went on that orgy of privatization? If it moves, privatize it. If it doesn't move, kick it till it does and then privatize it. He did it until it came to the Insurance Corp of British Columbia, because British Columbians said, "No, you're going to leave our public auto insurance system alone, because it works, because it provides adequate and significant no-fault benefits, as well as ensuring that innocent victims, the people whose bodies are broken, whose limbs are torn, whose futures are stolen from them by drunk and careless and reckless and negligent drivers—" In British Columbia, those innocent victims are entitled to full compensation for all of their losses. Yes, for their pain and suffering but more importantly, for the futures that are stolen from them, for the earning capacity that's robbed from them not by human error, not by mere momentary inadvertence, but we know who they are. They're the drunk drivers or the careless drivers or the reckless and negligent drivers. They steal people's futures. They rob from children what could have and should have and would have been theirs had it not been for that drunken driver behind the wheel of a 3,000- or 4,000-pound car. Of all the people, people in this province expect that it's New Democrats who'd make sure that child whose future is stolen from him is compensated adequately and fairly.

There's been a whole lot of talk about no-fault auto insurance. I'm going to tell you right now, no-fault insurance works really good. It does, if you're an insurance company. It's when you're a victim. It's when you've been mowed down by the drunk driver that the injustice takes hold.

I tell you, we stood firmly as a caucus, all 19 of us. There were only 19 of us; there were only 17 members in the third party. I tell you, the opposition parties were united in their resistance against Bill 68, against the no-fault insurance scheme that David Peterson imposed upon the people of this province, although it was never a campaign policy.

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He knew, campaigning before the 1987 election—why, it was but days before that election date—he knew that auto insurance and premiums, fairness to drivers, to premium payers and to victims was a significant issue. They impacted on family after family after family here in the province of Ontario. He knew it so well. Yes, I'm sure to his handler's dismay, he blurted out, as he was wont to do, that, yes, he had a very specific plan to reduce auto insurance premiums. He was trying to save his bacon if you will.

By the time he got to Queen's Park, he had to scramble. Why, in excess of \$12 million, \$13 million, maybe even \$14 million was spent on the Ontario Automobile Insurance Board under the supervision and leadership of John Kruger. John Kruger told the Liberals, "Don't do threshold no-fault, it's not going to create savings for drivers and least of all is it going to create justice for innocent victims." But I tell you, the Liberal government ignored that advice. It felt pressured, compelled, painted, I'm sure, into a corner and came up with a scheme that was beyond the industry's wildest dreams.

Why, even the insurance industry, those 150-plus private, corporate insurers in the province of Ontario, when they

were making their submissions to the Osborne inquiry, didn't ask for a threshold as onerous as created by the Liberals. And profits. Why, no-fault works real good if you're an insurance company, because they enjoyed new profits of almost \$1 billion in the first year alone; every penny of that billion bucks stolen from innocent victims who are being denied compensation because of threshold no-fault.

I can't help but believe that it was because of the courageous stance of New Democrats in opposition to a government—you remember, it was so big in numbers that it occupied part of the opposition side. Everybody knows what happened in September 1990. Be you happy about it or not, the reality is that that almost unprecedented majority was annihilated into a somewhat modest and fractious opposition party. I tell you, New Democrats have never made a secret about where they stood on auto insurance. They've had occasion to document that more than a few times.

When Mel Swart retired, there was a photo-off out in front of the Legislative Assembly. Mel, on his little Ford station wagon, put the vanity plates given to him as a gift by his caucus. The plate said "NO FAULT," because Mel and New Democrats had been identified with no-fault. The reason is that New Democrats had always believed that a comprehensive insurance package had to include no-fault benefits; that these no-fault benefits had to be a part of the package so that there was compensation, yes; that there was income replacement, yes, not just for the innocent victim but also for the wrongdoer.

That's why. It's because New Democrats fought to have no-fault included as part of the statutory insurance scheme here in the province of Ontario, as they included it in the western public system. That's why Mel became identified as an advocate of no-fault auto insurance, not because he would ever align himself with the cruel, vicious stripping away of victims' rights that's created by Bill 68 and, yes, by Bill 164, but because he knew that fairness demanded it.

There's a document called Highway Robbery. I tell you, the copies aren't as easy to come by as they used to be, but we got a few over in the north wing where my office is. Highway Robbery is the document that was written by Bob Rae as leader of the party and Leader of the Opposition and by Mel Swart, the critic, by way of a submission to the Osborne inquiry, one of the most comprehensive auto insurance inquiries ever undertaken.

The authors were the leader of the party and Mel who had been a member since well before even my time—I acknowledge that—Mel who had been there with the very pioneers of the social democratic movement in this province and in this country. They articulated the position of New Democrats when it came to auto insurance. They said this:

"New Democrats want greatly improved benefits for accident victims, no matter who caused the accident. We also believe just as strongly that people must retain their right to sue."

I didn't say that first. The Leader of the Opposition, Bob Rae, and the party's insurance critic said it in 1987

and it was documented in their submission to the Osborne inquiry.

They went further. Lest there's any confusion about this, lest anybody dares suggest that Mel would somehow say things one day because it was opportune and not believe in what he said, not say what he means or mean what he says or indeed change his position capriciously down the road, I tell them they don't know Mel very well. Further, Mel Swart and the Leader of the Opposition said this, documented in this impressive submission:

"In our view, an adequate level of no-fault benefits, coupled with fair payment of liability claims, would mean that most accident victims would have no need to sue. However, we believe"—clearly there was joint authorship of this document—"that accident victims should retain their right to sue where they think that losses exceed benefit levels. It's clear that, because of personal or occupational circumstances, the same injury will involve greater loss for some persons than for others. For instance, an athlete's earning capacity might be wiped out by a leg or knee injury from which most other accident victims would recover quickly and return to work with their earning power undiminished."

Yes, New Democrats believed and believe that the innocent victim has to be afforded the right of full compensation for all of her or his losses. Indeed that principle dates back to Moses where in Exodus he said if one smite the other with a stone he shall pay for the loss of his time and shall cause him to be thoroughly healed. I tell you, this law of *lex talionis*, this law of ensuring that no innocent should ever be denied reparation, is a part of our heritage, dating back not just to our fathers and forefathers, not just an essential part of the justice system as we've inherited it, but to the time before Christ.

You have to understand and I know that members here who have been in government will know that the legislative drafting process is not a perfect exercise by any stretch of the imagination. I really wish that I could speak with more precision. I wish I could refer to some of the documentation that was relied on within the ministry. Indeed, I sought to obtain access to that because in discussing this I wanted to be able to relate to you and to people who might care to listen what some of the real hard data are. So I requested access to the research, to the study that was undertaken by the automobile insurance review team.

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There was a member here who made some protest about the fees he was going to be charged. Try this one on for size: We're talking about some \$60,800. I appreciate that as an MPP, my salary is not unreasonable, but I'm sorry, I just can't handle \$60,800 at this point in time. I do my best. I buy the occasional 6/49 ticket, I confess. But to be told as a member of this Legislative Assembly that to have access, to be able to read them so that I could participate in a debate in a meaningful way, perhaps so that I can point out the frailty or the inaccuracy of some of those numbers, I would have to pay \$60,800, I'm sorry, friends; that's not the way I believe government should work. Whether you're a government member or an opposition

member or a member of the public, that's not the way I believe government should work.

Let me tell you about two things that bother me significantly, because there's been much talk. The fact is that any ministry prepares these inevitable lists of questions and answers, the scripted responses, the little spin that the doctors try to give to a particular piece of legislation. That's no secret any more. There's a whole lot of money spent doing that. It's called issue management, it's called PR. It's what Procter and Gamble does on a regular basis, making you believe that somehow one soap powder is superior to the other.

But I tell you, to suggest in the selling—because it's been, I'm sorry to have to say, a crass selling and marketing of this Bill 164. There's been the suggestion that somehow this will create higher wage replacement benefits. Well, Speaker, people, it's not true, it's just not true. I'll be charitable and call it a falsehood, that suggestion.

You see, what Bill 164 does is that it says to people that because you're not entitled to full compensation for all your economic losses, the courtroom door is locked, bolted and barred. There will be no justice for innocent victims. No-fault, and this is a no-fault system, is a victory of the guilty over the innocent. It's a victory of the drunk driver over the child who's mowed down at the street corner.

You see, even the Liberal plan permits, by way of wage replacement, 80% of gross income. The impression that somehow 90% should be higher than 80% is not a perverse one to most people, but when is 90% less than 80%? In the final chapters of *Animal Farm*, the great Orwell novel, and here in this Legislative Assembly. Look, we've only got a few minutes. If I'm wrong on any of these figures, please say so, and I invite people to join me in these modest calculations.

Let's talk about a gross income of \$600 a week. Mind you, just like in Bill 68, the first week is not covered. Somehow the victim, even the innocent victim, I presume is not going to have any groceries to purchase, is not going to have any hydro bills or fuel bills to pay, isn't going to have clothe the kids during that first week off work.

But 80% of that \$600, tax-free, which is the current benefit, is \$480. Just to make sure, I called up my friend Martha Ingram from Ingram Bookkeeping and Taxes down on Bargar Street in Welland, and I said: "Ms Ingram, you're experienced with this. What is the typical deduction on a \$600-a-week salary?" She gave me specific figures: \$13 CPP, \$18 UIC and \$124 income tax. I'll round it off to \$150, to be conservative, which I rarely am. That leaves you with a net income of \$450. If Bill 164 provides for 90% of net, that comes to \$405, friends. Sorry, down in Welland-Thorold where I come from, \$405 a week is still a lot less than \$480.

Let's move on up to \$700: 80% of \$700 gross is \$560. What would Bill 164 give you if you were earning a gross of \$700 a week? This bill would reduce that to \$506.25.

Do you want to talk about the cap? There's been talk about increasing the cap up to \$1,000 from the \$600 it's at now. That doesn't mean the cap on the amount that's replaced; it means the cap on the replacement after the calculation of 80% of gross. On \$800-a-week gross income—and

I don't know about the communities you come from, but where I come from, with \$800-a-week gross income you're starting to get into a scarcer and scarcer range of income earner. But 80% of that gross is \$640, but there's a cap. So that means that the person would receive \$600 a week tax-free because it's capped. But 90% of net comes out to \$540, even with the imposition of a \$600 cap.

You know what, friends? It's income earners in the \$1,600- to \$1,700-a-week range who are going to come anywhere near to that cap. I had the library pull out who it is in this province who makes that kind of dough. You're talking about the top 10% of income earners.

Do you know what that means? That means that Bill 164 will require low- and middle-income earners to subsidize the wealthy. No New Democrat I ever knew would ever tolerate or stand for that. I tell you that, friends. For the poor and the low-income earner and the middle-income earner to have to subsidize a person earning \$1,600, \$1,700 or \$1,800 a week is an obscenity. Even the Liberals didn't dare do it.

The fact is that the vast majority of hardworking people in this province say no to a subsidization of the rich and say yes to justice for victims. It's not an increase in benefits; it's a reduction in benefits.

Let's put it this way: If you like workers' comp, you're going to love Bill 164. If you're enthralled and thrilled with workers' compensation in the province of Ontario, you'll be ecstatic about this auto insurance scheme because you're meat charted. The innocent victim has no opportunity to explain what you don't understand: "This is what I could have been; this is what I would have been; it's what I should have been were it not for the attack on me by a drunk or a careless or a reckless or a negligent driver."

New Democrats should be embracing those victims and should be ensuring justice for them. If there's a problem with the court system, fix the courts. If there's a problem with lawyers—and I'm not beyond criticizing lawyers—then fix the lawyers. But don't mount a second attack on innocent victims, and that's what Bill 164 is. Even the Liberals preserve the right to full compensation for the most seriously injured.

I tell you, friends, and I tell my colleagues, if in August and September 1990 New Democrats had campaigned on Bill 164, we wouldn't have elected enough people to fill the third party position.

The previous government betrayed drivers and victims in this province, betrayed them in the most brutal way. But we promised those same drivers and victims relief from that brutality. I believe strongly that a public auto insurance system, like British Columbia's, like Saskatchewan's, like Manitoba's, can provide justice for those victims and fairness for drivers.

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There has been much talk about indexation of benefits. Of course, as auto insurance critic, I advocated that from the opposition benches; removing the caps on rehab and long-term care, of course. But that's not the thrust of this bill. Those things that we promised can be done without mounting that second attack on innocent victims; the patent

dishonesty in suggesting that somehow there's a restoration of tort right by providing suit for pain and suffering.

Let's not forget the \$15,000 isn't a threshold, and that's to say it isn't something that you have to surpass before you can be compensated for all for your pain and suffering. The \$15,000 is a premium surcharge on every innocent victim. This government says if you're an innocent victim you pay back into the insurance company's coffers \$15,000. And the drunk driver, the careless driver, the reckless and negligent driver is far more likely to collect the no-fault benefits, the wage replacement, than that innocent victim may well be, should he or she bang their head on the steering wheel or the windshield as they veer off the road.

I know this: Mel Swart never advocated public auto insurance because he had some mania about nationalization of things. I tell you that. There were some people who felt that way. Had they had their way, this government would own Inco now, and wouldn't that be a shame? But Mel Swart understood that the savings, the efficiencies—he understood this just like Tommy Douglas did and just like New Democrats in Manitoba and British Columbia did and just like the people in those provinces continue to know—inherent in a public system, permit that system to provide good no-fault benefits but also to guarantee that every innocent accident victim, every victim, innocent victims have the right to full compensation.

I know that the Premier can put people in or out of cabinet, I know that full well, but the people of Welland-Thorold put me in or out of this Legislature and I tell you I promised the people of Welland-Thorold that I would fight, that I would exhaust all of my rights in this assembly to keep the promise that I made, the promise that most candidates made in the last election, and that was to restore innocent accident victims' rights. I tell you, I will keep that promise. I tell you, nothing is more important. This seat that I have in this assembly is not more important than the trust that voters put in me or any one of us in the last election, the election before, the election before that. I am compelled to vote against what is bad legislation, what is not New Democratic Party legislation.

The Acting Speaker (Mr Noble Villeneuve): Thank you. The honourable member's time has expired.

Mr Kormos: I can't respond to the critics who will rise now, but I tell you, the people of this province know what is right.

The Acting Speaker: Questions and/or comments?

Mr Steven W. Mahoney (Mississauga West): I want to compliment the member for Welland-Thorold for his frankness and his honesty in putting forward his feelings on this.

He has just experienced the same experience that I went through speaking against Bill 40, of realizing that the rule changes limit our abilities to make our points beyond 30 minutes. I know that having sat in this House while that same member filibustered for—how long was it?—17 hours, something like that, not that he made the points quite as eloquently as he's making them today, but he now sees that the rule changes that I believe he voted for—he may have spoken against them, but voted for and sup-

ported his government, along with the Conservative Party, I might add, which voted for those rule changes. These same people are now—

Mr James J. Bradley (St Catharines): He's saying he's sorry he did that.

Mr Mahoney: Well, you did, much to our surprise. But in any event, they're now realizing the impact of that, the impact being that the member for Welland-Thorold talked about his passionate fears for innocent victims, I think in a very convincing manner. He talked about the fact that the \$15,000 is nothing more than a payback. Something I would have loved to have heard is the howls of indignation from the NDP had they been in opposition when the former Liberal government had dared to impose such a level of payback to the insurance companies. It would have been fascinating.

But I also find it somewhat interesting to be standing on the same side of the issue as Peter Kormos and Chris Stockwell and certain people like that. Voting against this particular bill is a little bit like Judy Rebick and Preston Manning lining up on the same side of the debate on the constitutional issue. It's a little bit unusual, but politics does make for strange bedfellows.

The Acting Speaker: Further questions and/or comments? The member for Dufferin-Peel.

Mr Tilson: I too would like to congratulate the member for Welland-Thorold. I think we've just seen how low this government has gone. The basic message the member for Welland-Thorold has put forward is one of integrity, and we have just seen the very difficult position he is in. He has quoted the Premier at the Osborne commission, and how he was directed by his caucus to stand in this place for 17 hours to attack the OMPP principles.

The NDP principles no longer exist. The member for Welland-Thorold has expressed that. In fact, I'm amazed that he's still in his caucus. I'm amazed that he hasn't gone so far as to leave his caucus. He has been opposed to the principles of Sunday shopping, the principles of casino gambling and of course the principles of no-fault insurance, and I support him on being opposed to no-fault insurance. I certainly don't support him on the principles of public auto insurance. We'll have to go a long way before I will support him on that.

I think the basic message we must look at on the principle of no-fault is the subject of the innocent accident victim. The innocent accident victim is now looking to everybody's at fault. The drunk driver's innocent, the negligent driver's innocent; it's nobody's fault. The member is perfectly right and I hope the members of the government join him. This bill must be defeated and, to repeat the member for Oriole, we must think it again.

The Acting Speaker: Further questions and/or comments?

Mr Will Ferguson (Kitchener): I think we have to recognize that everybody in his or her own private life makes decisions on a daily basis. Some of those decisions will affect their lives to a greater or lesser degree.

Mr Murray J. Elston (Bruce): Are you kidding us?

Mr Ferguson: Let me tell you that government is no different, and this is one of the issues where the government has looked at its position from two years ago and looked at the economic realities that face the province of Ontario today and made a decision based on the issues and the circumstances that affect the province of Ontario here in 1992.

Mr Stockwell: This is degrading.

Mr Ferguson: I want to tell you, Mr Speaker, that being in opposition is a very comfortable position, because it's kind of like being an editorial writer. If the government decided to proceed and go full steam ahead with public auto insurance, this government would have been accused of being dogmatic, it would have been accused of using outdated information and of being blind in its pursuit of public auto insurance at any cost.

Mr Tilson: You say one thing—

Mr Stockwell: You've got no credibility.

Mr Ferguson: I want to tell you, Mr Speaker, that we've looked at the issue. We have decided that this is the best course of action to proceed with at this point in time.

Mr Stockwell: And you decided to break every promise you ever made because you haven't an ounce of integrity. You're just blowing hot air.

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Mr Ferguson: I don't think the members of the opposition would be screaming so loudly if we decided to proceed, at a cost of, they've estimated, 5,000 to 6,000 jobs that would have been lost in the province today. We have been told time and time again by the opposition on one hand that we should be proceeding and living up to our promise. We're being accused of not keeping our promise and then, on the other hand, we're being told by the opposition that in fact this bill goes much too far.

On one hand we have the Conservatives, who have suggested that the bill goes way too far, that we shouldn't be in the business of regulating private insurance, and on the other hand we listened to our good friend the member for Welland-Thorold, who believes it doesn't go far enough. So there you have it. It's a very difficult decision that had to be made in these difficult times.

The Acting Speaker: The member's time has expired. We can accommodate one final participant.

Mr Bradley: I consider it unfortunate that under the new rules that have been imposed upon the Legislature by Premier Bob Rae, one of his own members, who spoke for some 17 hours so eloquently on this issue, is being limited to 30 minutes. In the 30 minutes, he is not easily able to outline the reasons he's in opposition to this piece of legislation.

Also, it's very clear that everything now is being run from the Premier's office and that the members of the NDP caucus, many of whom, I'm assured, are opposed to this legislation, will be whipped into line, again because of the mandarins within the Office of the Premier.

I would like the member to comment upon this and help me out with this, because his friend and mine, Gabe McNally, wrote a letter to the editor of the St Catharines Standard after I defended some funding for the Unem-

ployed Help Centre and said, "You know, you shouldn't really trust this guy Jim Bradley, because his party, the Liberals, was in bed with the insurance companies." I would like to ask the member to comment on just how much room there is in that bed, because I think I have heard him say that the New Democratic Party appears to be in bed with or in cahoots with the insurance industry on this particular bill.

I heard the member's entire speech. I'd also like to ask the member to comment on what he thinks all of this does for the political process and the attitude the public will have towards political parties and politicians as a result of the promise being made to deliver one kind of insurance and then a complete reversal taking place by the people who were so adamant in opposition that this would be unacceptable, that the only course of action was in fact government insurance. I'd be interested in hearing the independent and forthright views of the member for Welland-Thorold on these issues.

The Acting Speaker: This completes questions and/or comments. The honourable member for Welland-Thorold has two minutes in response.

Mr Kormos: I want to say this: On the issue of public insurance, I tell you, I firmly believe in it, and I believe in it because in 1991 Statistics Canada said that the average premium in Ontario was \$735 while in British Columbia it was \$624. I reject out of hand the proposition that it was the cost of the program or that it was job loss which would deter from not pursuing a commitment to public auto insurance.

But there was the second issue, and that was the restoration of innocent victim rights. The fact is that I believe that can be accomplished readily in a public system, but the reality is, the Premier having clearly abandoned that, it remains incumbent upon us to keep at least that promise, because clearly nobody's countering with suggestions of cost or job loss. That's why I tell you the insurance industry has \$1 billion to start paying out to innocent victims, who deserve better than what they've had.

I tell you, there's going to be a whole lot of criticism, I'm confident, among colleagues I care about and for whom I have a great deal of affection and whom I respect, for my position on this bill, but I'm compelled to stand in opposition to what is bad legislation. I know again that the spin doctors and the mandarins are going to be writing blurbs and writing mini-speeches and writing commentaries and indeed perhaps contemplating a criticism of some of the things I've said. But I'll tell you this: The people who are aware of the issue, and they number in the thousands, because they've written to me, they've telephoned me, they've stopped me in the street of every community I've been to across this great province, say no.

"We voted for the New Democrats because we believed that the New Democrats were different and we believe that now New Democrats at Queen's Park have an opportunity and an obligation to show that government doesn't have to be the way it's always been."

I tell you, being responsible and respecting the trust of those people and restoring the rights of innocent victims will demonstrate that.

The Acting Speaker: Thank you, the honourable member's time has expired. Further debate?

Mr Cordiano: I stand up to speak on this issue, and I have to say that it's quite difficult, in fact extremely difficult, to follow the previous speaker. It is going to be exceedingly difficult to match the extent of criticism, the hyperbole, the true passion the previous speaker, the member for Welland-Thorold, feels about this subject. It's difficult because I am critical of this bill, as we are on this side of the House, but no one could have done a more masterful job of ripping apart piece by piece the essence of what this government stands for.

I think this bill epitomizes everything that's wrong with this government, not so much in its legislation. We can understand why they moved to do this; we can understand why they tried to move to restore the compensation by seeking out the courts. This is a cynical, halfway measure, no doubt about that, make no mistake. But when all is said and done, it is precisely the cynicism that surrounds this move which I think many people, both on that side of the House and on this side of the House, and people right across this province, have difficulty coming to grips with.

This government has done a similar thing repeatedly: It's reversed its policy. This isn't the first time: It's done so with respect to Sunday shopping, it's done so with respect to its promise to restore education funding at the provincial level at 60%, it's done so on a number of issues. It has forsaken its principles, and I think it makes its members most uncomfortable.

There is indeed a lot of cringing going on on that side of the House. I refer back to the previous speaker, who was the most outspoken member, the best spokesperson for that party on this issue prior to the last election, and before him his predecessor, the member who represented Welland-Thorold, who also spoke eloquently in this House. I was a part of this House between 1985 and 1990 during those years when we fought elections over the whole question of public auto insurance. Public auto insurance was precisely what this party was advocating in those two elections.

I recall the extent to which people who believed in public auto insurance had supported this government, had supported the various members who now find themselves seated in this Legislature, and a great deal of support was engendered as a result of public auto insurance, as a result of the stand they took in the last election and the election previous to that.

I might add that the previous speaker, the member for Welland-Thorold, had a lot to do with that in the last election. I know he spoke with such intensity and such passion about having a sacred trust for his constituents who elected him to this House, and that he would maintain that sacred trust and would exhaust every possibility with respect to his right in this House to be able to put forward this view.

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Naturally, he will not have much more of an opportunity than he's had here today. I refer to the rule changes which have occurred in this House. There's no way possible that this member would have the same opportunity to

rail against this legislation as he did prior to the last election when our government proposed legislation which he adamantly opposed. I was in the House when he spoke against it, and so were various other colleagues. Quite frankly, we felt that served a very useful purpose. That use of time was not a waste, even though we felt uncomfortable at that time, being the government, and had to stay through the course of one evening. It was a 17-hour period which lasted well into the morning and into the next day.

But people around the province who supported public auto insurance, whose views were similar to those of the member for Welland-Thorold, very much appreciated that they had a spokesman in this Legislature, in this House, in this chamber, who spoke on their behalf with respect to that issue, even though we disagree.

That basic principle of democracy was given its full opportunity to be displayed in this chamber. That's simply no longer the case. It's done away with completely. What we have today is a 30-minute speech by the member and by opposition members who oppose this legislation, a maximum of 30 minutes to voice our opinions. That is a sad result of the rule changes that we've seen come about in this House.

I want to deal with Bill 164. The intention of this bill as stated by this government is to "allow the reduction and the stability of insurance prices, reasonable and fair compensation for accident victims, a fair system of rating drivers and protection for consumers."

You will see in my following remarks that simply is not the case with Bill 164. The point that's been made here is that the government wants to see a system of auto insurance that is affordable, fair and universally accessible, that premiums be stable and predictable, that victims injured in a motor vehicle accident must receive benefits quickly to ensure complete recovery, that coverage must be complete.

I say to those points that is precisely what the OMPP was introduced to accomplish. I say to the members opposite that it's exactly that which is happening today. It's working effectively and efficiently. We don't believe we need new auto insurance legislation with the changes that have been proposed here today.

One thing you can be sure of is that Bill 164 will lead to premium increases for consumers. There is absolutely no doubt about that. Some estimates say that there will be a 20% increase from now until once these changes are brought about and it could go higher than that. I don't think there are any real actuarial studies that have been done by the government, or at least we haven't seen them to prove otherwise.

The new threshold to be met before owners and occupants of vehicles can be sued for bodily injury will allow victims to sue for non-pecuniary loss, pain and suffering, loss of amenities and loss of expectation of life as well as of guidance, care and companionship.

This bill will allow more victims to go beyond the threshold and sue and it will lead to an increase in premiums as litigation costs, as well as awards, will increase. That is only logical. All economic losses will be compensated through the statutory action and benefit systems. There will no longer be the right to sue for economic loss.

They have completely gutted that principle which was the hallmark of the existing legislation. This is a complete denial of the right to sue for loss of income. It's a greater restriction than the Liberal government's decision not to permit tort for pain and suffering, which the NDP renounced, and we see reforms to bring that about now.

How can this government claim now that this is a restoration of the right to sue which it had promised? Nothing could be further from the truth. Clearly, under Bill 164, accident victims will no longer be permitted to sue for loss of income. Instead, they gain the right to sue for pain and suffering subject to the \$15,000 deductible. That means more people will be able to seek redress from the courts but they will be entitled to claim much less. That's not an expansion of the right to sue for compensation but a narrowing of that right, a reduction of that right.

It's like paying a premium, as the speaker prior to me stated so eloquently. It is paying a penalty of \$15,000 for the right to sue, there is absolutely no doubt, and that doesn't even include legal costs. If someone takes the risk of going through with the lawsuit and going through the courts for redress and is not successful, then you have the \$15,000 which might have had to come from an award which had been successful. Now that's removed, but you still get stuck with the legal fees, and they can be extensive.

Clearly, the government's gambling—a familiar word around here these days. The government is putting people in a position where they have to gamble so that they can go through the court system and get proper redress, proper compensation; that's if they win. Should they lose, they certainly will not be entitled to that and in fact will get stuck with the legal bill, which could be enormous.

You're putting people in that very difficult position with this premium as a deductible. It is an enormous barrier, and therefore that commitment to restore the right to sue is a shallow one. It's a hollow one. It comes with a big pricetag.

The little people whom the member for Welland-Thorold spoke so eloquently about are the ones who are going to have to pay this big bill at the end. They're the ones who are taking the enormous risk to seek redress from the courts. They're the ones who can't easily do that. The \$15,000 deductible premium is a huge barrier to someone who's not earning a hell of a lot of money. Those people are the ones who are affected by this and therefore have not really been given the right to sue. It's been taken away from them.

This is hollow. It's a hollow promise. That's what irritates me about it. Holding true to your own commitments, your convictions, certainly would have been much better.

We had the strength of our convictions. We put forward a plan which you criticized and which the member for Welland-Thorold criticized so well. An election was fought over that and he knows very well—I ran in that election, on that promise—that legislation was put before the people and the people had their say. Nothing you can say about it will change that very fundamental fact.

We had the strength of our convictions. We laid it before the people, our record of government, and they spoke

on it. They defeated us but we stood our ground. We said that was our legislation.

1720

This government admits this new law will allow more victims to sue by allowing them to sue for pain and suffering. Of course, this is an increase in the number of lawsuits and will mean higher litigation costs and larger court awards. It will, as I said earlier, increase premiums to consumers. There's no regard here for the premiums they're going to pay up front as a result of increased insurance costs. Ultimately, it results in bigger premiums. I know the member quoted the average premiums. Well, by God, they're going to go up, and they're going to go up, as I said earlier, at least 20%.

Mr Kormos: In Ontario.

Mr Cordiano: That's precisely why the OMPP was introduced, because people were concerned about premiums going up for consumers. Everybody complained about that over the course of two elections. These premiums were caused by rising claims costs. I say to the members opposite that this plan we have before us, the OMPP, seems to be working.

There could be adjustments made. There's no question about that. There was reference made to the threshold. The threshold was set where it is now, and it's quite high. I think some of us would admit that somehow that could be lowered, that somehow we could allow for more people to sue and that there could be a balance struck where the right to sue in that provision of the OMPP would have allowed a person to sue for economic loss as well as for pain and suffering. That's the right way to go. That's right. Lower the threshold. I don't disagree with that, and at no time when we introduced the OMPP did we say we would not under any circumstances lower the threshold.

When it was introduced, I remember that a number of our colleagues who do not sit in this House today were concerned about that, very much so, and said, "We have to have a period of adjustment, a trial period where that threshold may be altered, may be changed, may be dropped." All of us understood that. But to remove the right to sue for economic loss is a complete injustice. I agree with the member for Welland-Thorold: It is an outrageous, cynical move by this government.

As I said earlier, consumers have been asked the question if they're satisfied with the system, and for the most part they are, albeit, as I've said, there could be adjustments made to the system. The threshold could be lowered. I think that would help improve the OMPP. That would still allow us to have a system whereby premiums remain stable, remain within the grasp of what consumers can afford.

But under this new system that will no longer be possible. That certainly will no longer be possible. Make no mistake about it: Premium increases are to come. This legislation has no mention of reducing premiums. There's no way in the world that premiums can be reduced under Bill 164. Exactly the opposite will happen.

The bill also removes the limits on rehab and long-term care. The government, insurers and consumers all

want to ensure that accident victims receive adequate medical care. Removing the cap on these benefits will lead to increasing costs for insurance companies.

Mr Kormos: Paid for by OHIP.

Mr Cordiano: It's going to increase costs. It will be ultimately passed on to consumers. Again, we come back to that point: Premiums will go up.

Mr Kormos: That's right. The companies don't pay for it; OHIP pays for it.

Mr Cordiano: Somebody's going to pay for it, and it's usually the consumer.

Mr Tilson: Usually?

Mr Cordiano: Yes, 100% of the time, usually.

By removing the caps, the government also makes it impossible for the insurance companies to do accurate financial and actuarial planning around this. The government knows this, because it can't do it. That really has some serious implications for the stability of the market, and that would ultimately endanger consumers who rely on these insurers to provide essential coverage.

The bill also requires that all benefits must be indexed in accordance with the consumer price index. Once again, indexation will increase costs, and of course those costs will be passed on to consumers. There's no escaping that.

In fact, when all is said and done, this government has no idea what the costing of all these measures will be in terms of numbers and the premium increases. They haven't shown us any actuarial studies to measure the effects of these things on premiums. There may be some floating around, but not by the government. All we know is that they say premiums won't go up. They assure us there's no way that premiums will go up. But again they haven't released any studies to back up these claims.

While the NDP touted its plan to allow premiums to be set without unfair discrimination rating or availability, the bill also leaves a great deal of matters, such as the establishment of a risk classification system and of benefits payable, to the regulations. We don't know what's going to happen in those areas. Our concern is that these regulations can be enacted by cabinet without any notice or consultation and away from public scrutiny.

There's another provision in Bill 164 designed to deal with withdrawal from the marketplace and designated penalties to penalize those companies which withdraw from the marketplace in Ontario. The bill envisages people paying a fee for withdrawing from the marketplace in Ontario, and they'll be banned from entering the marketplace, once they do leave, for another three years.

This government hasn't learned the kind of impact that this will have, along with a number of other measures that they've introduced—Bill 40 is one of them—that have international consequences, international impacts, well beyond the borders of Ontario. This signals such a negative alarm bell around the world with respect to how business is conducted in this province—complete ignorance on the part of the government with respect to the signal that it's sending to free enterprise around the world.

Is anyone going to want to come here and invest their money in the insurance industry or in any other industry?

While I say this, I think about what the government says in response to this: that we are naysayers, that we think of doomsday scenarios, we're fearmongers. We're stating our honest opinion; we believe in what we're saying. We believe that these measures will have a negative impact on the province and on the economy. It does nothing to foster confidence. It does nothing to ensure that confidence will increase rather than what we see today: gloom and doom.

To remain a vibrant and healthy economy, you need to send out proper signals. You need to work with private enterprise. This sort of cosyng up to the insurance industry by this government, halfway measure that it is—I would sit here and feel much better if this government would say, "We're going to do this, this and this," and then proceed with it.

The people spoke in the last election. We could live with a government that has a sense of direction. But one day it's doing one thing; the next day it's changing its mind. Quite frankly, there's no consistency, there's no principle, there's no core element, there's no sense of direction, no sense of purpose.

1730

This is but one example, and the signal is so negative, the consequences are very dire indeed, that people around the world are looking at what's happening in Ontario and are saying to themselves—and they don't want to come forward. I speak to people all the time. There are heads of companies who say that they are seriously making moves right now. They had stuck around for a while. They had said, "Well, we'll see what we can do." Bill 40 has been around for a while and they wanted to see amendments to Bill 40. They wanted to see some halfway measures, some flexibility on the part of this government—in an economy which is grasping for answers, a people of this province who are looking for an answer, for a direction, who are looking for some solutions to their very difficult economic problems. All of us are having to cope with that. Is there anyone in this Legislature who does not know someone who has gone bankrupt, who has lost a job? My God, it does not do anything to foster any confidence anywhere.

People simply are not investing in this province, in spite of what the Minister of Industry, Trade and Technology says when he stands up in this House on occasion—not too often, mind you—to point out the great investments that are made in the province. He points to Ford as an example. Well, it's arguable whether Ford was planning to invest the money that it has in Oakville prior to this administration coming to office. That's beside the point. There's really very little investment coming into this province in the middle category, in the small firms. There's very little investment going on in those economic sectors which, by and large, are dominated by small business in areas which are rapidly promising growth in the future, and that's simply not happening now. Those sectors could have been thriving once the recession passes, and despite everything this government does and any other government in this country, there will be a day when the recession passes by and we see a period of growth, but it will be a slow one and we're going to see that next year, a very slow period of growth.

Don't think for a moment that what we do in this chamber and the actions taken by that government do not affect that; they certainly do affect what happens in the marketplace and in the economy. There's no mistaking that. There's absolutely no doubt about the impact.

Bill 164 is an example of that, is an example of how not to foster confidence in the private sector, of how to send a signal that says, "Look, we're very leery of you coming to do business in our province." You know very well that it takes a large amount of capital by insurers to make certain that the system works in Ontario, to make certain that the private sector can function in the insurance industry.

I know the member for Welland-Thorold wants a public auto insurance system. Obviously, I say to him, this could be a step towards that, because there are a hell of a lot of insurers out there who are thinking twice, once these provisions are in place.

Mr Kormos: It's a gravy train for them.

Mr Cordiano: It's not a gravy train. Once these measures are introduced, the next move is to move to a public auto insurance system and that could be the case. It's ill-conceived.

Mr Kormos: A ménage à trois.

Mr Cordiano: At the present time, you may very well be right, but down the road we could see the advent of public auto insurance, which makes no sense whatsoever and this is where we part company and we disagree. It's not proven that it's a more efficient system.

The member for Welland-Thorold quoted the premium rate difference between British Columbia and Ontario. There are very many fewer drivers in British Columbia than in Ontario and therefore a number of factors are not considered when those premiums are factored in and compared. You have to realize that there are fewer drivers and therefore the rating experience—

Mr Kormos: They've got a higher accident rate.

Mr Cordiano: The higher accident rate—there have been subsidies to those drivers by the government. That's why we argued against public auto insurance.

Anyway, my time is running out, Mr Speaker. I thank you for this opportunity to speak. We oppose Bill 164 and I concur with that.

The Acting Speaker: Questions and/or comments? The honourable member for Dufferin-Peel.

Mr Tilson: I'm not going to spend any more time talking about the Liberal plan. It just didn't work. But I would like to talk on one subject that was raised by the member for Lawrence, and that has to do with insurance premiums.

Insurance premiums are established as going up a minimum of 20%. That was his statement and I agree with that, as do the Insurance Bureau of Canada and most of the insurance companies that have certainly written myself and other members of this House. I think if you look at the Mercer actuarial study, if you look at what it's calculating, insurance premiums must go up.

Therefore, what does the minister mean when he says premiums are not going up? He's given us his guarantee that premiums are not going up. What's he going to do? Is he going to have regulations to control the regulators, the insurance commission? Is he going to tell them, "We're not going to allow the rates to go up; we're going to do something to the regulators"?

What about this strange, tremendous power that's been given to the cabinet? That really hasn't been talked about too much in this House. I made it in my comments, but is it the cabinet? Because clearly, under the terms of this bill, the cabinet will be allowed to prescribe rating factors, establish various benefits and conditions on which they're payable, as well as optional benefits that insurers must offer. These can be done immediately. They can be done immediately, without any notice, without any warning, without any debate in this House, without any discussion, without any scrutiny, public or political.

So I fear, with all the facts being put forward in this House and outside this House of insurance rates going up, that there's a con job going on. The minister is going to control rates, he's going to automatically put them up through the cabinet or else he's going to control the regulators. I have grave fears of that.

So when we talk about insurance rates, we must listen to what the minister is saying when rates are not going to go up. If they're not going to go up, then what's going to happen? I'd like to hear from the minister on those topics.

The Acting Speaker: Further questions and/or comments? The honourable member for Welland-Thorold.

Mr Kormos: I want to talk to the comments of Mr Cordiano, the member for Lawrence, about premium rates and what's going on. Look, the Insurance Bureau of Canada has already set the scenario. They've said in documents that there's going to be a 20% increase in rates if this bill passes. I tell you, it's pretty fancy footwork on their part.

The Liberal Bill 68 was a \$1-billion gift. It was a gravy train for the insurance industry. This compounds that by probably another \$1 billion. Look, we've eliminated the right of even the most seriously injured people, in Bill 164, to obtain compensation for their economic loss. That's that many more millions of dollars being pocketed by the private corporate sector.

We're being set up. We're crawling into bed with them—some might suggest a bizarre ménage à trois—and they're setting us and the premium payer up for a 20% premium increase. They're having it both ways. They're getting the biggest gift they ever got from government following the wonderful payback they got from the last government, plus they're going to razzle-dazzle, play the three-card monte game and use this whole disruption of their planning based on Bill 68 to justify and rationalize 20% premium increases.

Ironic, ain't it, that it's the New Democratic Party government that took away the remnants of victims' rights left by the Liberals and is going to suffer the legacy of premium increases that are unprecedented in the last five years in the province of Ontario.

It's because Bill 164 is the wrong legislation serving the wrong master. It's serving the insurance companies when this government ought to be serving drivers, premium payers and innocent victims. That's the real response to the issues, and that's where Mr Cordiano misses the boat by, oh, a couple of steps.

1740

Mr Bradley: The member didn't have time to go into the kind of detail he wanted. I know he would want to have shared with the House this headline that says, "Premier Has Lied to the People, Rae Charges." This was in July 1990, and it was at a press conference he said this. You'll want to know what he said it about.

"Premier David Peterson has lied about the major economic issues, such as taxes, free trade and automobile insurance, opposition leader Bob Rae says. In an aggressive stance to open the provincial election campaign, the New Democratic Party leader focused an attack on Peterson and promised there'd be much more to come.

"I don't believe a word the Premier says about taxes," he said. 'Mr Peterson has lied directly to the people with respect to free trade. He has lied directly to the people with respect to car insurance,' Rae told a news conference."

Then he goes on to say: "'So I don't see that I have any alternative than to say that in the last election, Mr Peterson lied to the people of the province about car insurance.'"

This is the individual who has now done a 180-degree turn on the issue of automobile insurance, because he went from one end of the province to the other, he promised government automobile insurance, he promised that he would change the system so that people could sue, as outlined by the member for Welland-Thorold, and now he hasn't. If the rules of the House permitted, I could perhaps say that this fits today, this headline. I could just take off "Rae Charges" and the headline says, "Premier Has Lied to the People." But the House doesn't permit that, so I certainly wouldn't want to do that. But it's very interesting to see that our Premier today made those accusations and yet he has completely renounced the policy of the New Democratic Party upon which he was elected.

The Acting Speaker: We can accommodate one final participant.

Mr Stockwell: It's funny, because I often speak about that day in August, and that's what I was going to comment on as well, that fateful day that Mr Rae, the Leader of the Opposition, went down to the press room here and said very categorically—and I counted: five times he said that the Premier of the province had lied, that he had lied about something as important as auto insurance.

That's Bob, the Bob with the halo on his head, who said that Premier Peterson had lied, and, gee, that was awful, and you shouldn't elect a man who lies. And he told the people of the province, "If you vote for the NDP you won't get that kind of stuff."

Yet here we are today—and the minister of apologies is out; it's a shame—and out of the 74 who got elected here, these people who didn't want to elect a liar, who didn't want to elect a person who didn't tell the truth to the

public, of the 74 of them here today, 73 are doing exactly what they accused Mr Peterson of doing.

You wonder. Is it because they are so entrapped with power and the thought that they may make cabinet that they'll sell their very souls to stay in power, after accusing Peterson of lying? Or is it that they simply forget?

The record won't be kind to you next election. The record will not be kind, because you can be very sure that when the next election starts, somebody is going to accuse you of lying. You're going to have to defend it, and you can't defend it, and it's more than fair.

The Acting Speaker: This completes questions and/or comments. The honourable member for Lawrence has two minutes in response.

Mr Cordiano: I can't help but stand here and think that what the members on the other side are going through is real pain and suffering. Or perhaps they're not. Perhaps they're blinded or the pain is lessened, blunted, by the mere fact that they hold power, by the mere chance that they'll be in the cabinet, as was pointed out by the previous speaker. I don't know. That's got to be a powerful motivator.

I hear the pain and suffering on the part of the member for Welland-Thorold, who so passionately put forward his view. He has become the voice, the conscience, of the members on that side, and every once in a while, when this government steers 180 degrees to the other side, we hear from the member for Welland-Thorold, who reminds his colleagues on that side of the House that they veered from the navigational course that was set in the last election.

We do have to talk about the sense of purpose in this place, the dignity of members. The platform that was put forward is completely annihilated, the Agenda for People, something that's in the distant past. Mel Swart's name came up. He was another voice of conscience which I believe will continue to haunt the members on that side.

I know there are members on that side of the House who are most uncomfortable with the decisions that have been made with respect to Bill 164, with respect to Sunday shopping legislation and a number of other areas this government has done an about-face on. I say to the members, remember that, and once in a while the member for Welland-Thorold could serve as an example. You don't have to be on side all the time.

Mrs Margaret Marland (Mississauga South): In rising today to speak to the second reading of Bill 164, I must express at the outset that there is a certain level of frustration, first, of course, because we are being limited in the amount of time that we can debate a very significant piece of legislation in terms of its impact on the people in this province. We are being limited because the government decided that the new rules for the House would be adhered to from that memorable point forward in July, this past summer, and now we're in a situation where many people in this House would like to speak to try to convince this government about what is wrong with Bill 164. People would like to stand and express on behalf of their constituents around this province why Bill 164 is the wrong legisla-

tion, why it should be withdrawn by the government and why it is so flawed that there is no point in trying to amend it.

While we are in the situation we are in Ontario today, where we have a majority socialist government which has these new rules for procedures in the House, we are helpless to do anything except use a few moments to place on the record some of our concerns. But I think the thing that says the most about Bill 164 and this particular minister's handling of it is a quote attributable to the minister himself. This quote, I expect, was made when the minister was being challenged on the reversal of the NDP policy, the reversal of that strong, powerful position on which they campaigned around this province in the summer of 1990, that being the position in favour of government-run automobile insurance.

1750

I'm not suggesting for one moment that we in the Progressive Conservative caucus were in favour of government-run automobile insurance. We were not. We have enough concrete evidence of other provinces in Canada where government-run automobile insurance ends up costing the taxpayers more money through direct subsidies, through the general treasuries of those provinces, to the extent that the public is never really sure how much government-run automobile insurance actually costs the people who live in those provinces. We weren't in favour of it.

I'm simply saying that this government, this socialist party, was elected in this province on a promise. We know, through their Agenda for People, that they were elected on a number of promises, but this is one of the high-profile promises. Isn't it interesting that it's also one of the high-profile renegings on promises that we see today in Bill 164.

In defending the reversal of the NDP policy, the minister, Mr Brian Charlton, said, "Any individual who finds he can deliver a better product than he promised is a fool if he sticks to his promise." That's from Hansard, December 4, 1991. I think it's great that the minister admits that it's possible that promises unfulfilled make a fool of the person who made those promises, but isn't it ironic that he is in fact reneging on the promise and is not even delivering a better product? He isn't doing anything in the best interests of the people in this province.

It's a very scary thought for anyone in Ontario today who drives an automobile, at whatever stage he is in his life, to realize that through this legislation, if he is in an accident he can never be protected from loss of income, in other words, his economic loss. They can never be protected for either their present income or their future potential income.

We can look at anyone as an example. We can look at young university students; I might be personal for a moment and say we can look at young athletes, university students and a young athlete like my son, who has not had a full-time job in seven years of training. We've got thousands of university students who have been at university for in excess, sometimes, of three, four, five, seven or eight years.

A young university student in medical school who is in his or her last year of medical school may have invested

eight or 10 years, 10 or 12 years if they've specialized in some form of medicine. They're in their final year. They've never established what their potential for income was, because they have been studying and learning all those years. If they sustain an injury through an automobile accident, they cannot sue for their future potential loss of income, even though they may have invested 10 or 12 years in completing their education in order to practise a specific specialty in medicine.

It is totally wrong that an individual who is injured in an automobile accident cannot sue for economic loss. Certainly, under the schedule of payments they would have some kind of income, maybe for the rest of their lives. That would be the limit of the income for which they would be eligible.

I think the same example can be given where someone who has established a career or a profession and takes a leave of absence from that career or profession and sustains an injury through an automobile accident. At the time they sustain the injury they're not in an earning capacity, they're not receiving income. They too are not allowed to sue for economic loss or future potential economic loss. That is totally wrong.

A lot has been said this afternoon about the fact that Bill 164 will result in a 20% increase in insurance premiums, at a minimum. Those are not figures that the insurance industry is throwing out as a scare tactic; they are absolute figures that independent actuarial specialists have developed. To look at the cause for concern, if those premiums rise, it would be a tremendous impediment to a large number of people who can barely afford their insurance premiums today.

I have received some comments from a Mr Bill Carter, who is a regional manager for State Farm Insurance. Admittedly, here's an industry person, but here's an industry person who, with another of his agents, Eve Beck—I think Eve Beck is number three of 17,000 agents for State Farm in North America. These are professional people who, yes, are selling a service, are selling a product and selling protection for people who have to drive automobiles in this province, but they also want to be able to sell more of that product to more people at a fair and reasonable rate and be sure that those recipients of that coverage have what they need to have. They are concerned about a great number of aspects of this bill. They're saying, "Obviously you can't extend benefits and reduce costs at the same time." Many of the insurance companies will see their finances adversely affected if they don't raise premiums, so they don't have a choice. They're not in a public sector operation where there's a bottomless pit from the government behind their business.

Also, when we look at what we have existing in legislation today, the Liberal bill, which has been referred to earlier this afternoon, obviously what is happening is that since it was introduced, people have grown accustomed to the Ontario motorist protection plan, the Liberal government's legislation to which I referred. While time will reveal the flaws in that plan, we believe that time must be allowed to demonstrate what adjustments must be made.

I mean, we have one plan in place for how long now? Two years, I guess; just over two years. It's very, very

difficult. How can you just throw one thing out? Admittedly, we don't think the Ontario motorist protection plan was the ideal solution, but how can you throw one thing out the window and bring something else in if it's worse and if it doesn't solve the problems associated with what is existing?

Because of the shortage of time, I know I'm skipping around here, trying to get what I think are the major concerns on the record, but the one thing that really says more than anything else and was certainly spoken to a few moments ago very well by the critic for our party, Mr Tilson, is the fact that the cabinet has the ultimate control.

What we have here is a situation where Bill 164 grants these tremendous powers to the cabinet so that the cabinet would be allowed to prescribe rating factors, establish various benefits and conditions on which they are payable, as well as optional benefits that insurers must offer. These expanded powers of regulation could be enacted immediately without notice or consultation, and away from public and political scrutiny.

That has to be the worst part of Bill 164. In fact, what that is, I would respectfully suggest, is government-run automobile insurance at the expense of the private sector. It's government saying to the private sector, the insurance industry, "We have the power to tell you what you're going to do, what benefits, what security, how you will operate, how the public will be protected." In other words, "We'll tell you exactly what to do."

But it's not government-run, of course. Oh, no, it's not government-run; it's cabinet-run. That's even worse. Do you know why? Because the cabinet does everything behind closed doors. That has got to be the most regressive approach to any subject ever in this province. Whatever the cabinet does is a secret document. Look how you just about have a fit when we get something leaked from your cabinet secret documents.

What we have here is cabinet-run automobile insurance, with no public scrutiny, no opportunity for proposed changes in regulations to come to the floor of this House. So we, who are also elected to serve and protect the public and their best interests, will not have an opportunity to bring our concerns and our criticisms and perhaps our constructive amendments to the floor of this House. No way. It's going to be done in the cabinet room: the cabinet directing the private sector.

The concerns are many. Unfortunately, as I have already said, we do not have time to elaborate on all of them. We simply say that one of the areas we had hoped to see was some direction about graduated licences becoming a reality, where that experienced driver is not paying a subsidy to someone who is inexperienced who has the same driving options as someone with experience.

I realize, Mr Speaker, that you're looking at the clock, as I have been. Since it is 6 o'clock, I would like to move adjournment of the debate.

The Acting Speaker: It now being 6 of the clock, this House stands adjourned until tomorrow, Thursday, October 8, at 10 of the clock.

The House adjourned at 1802.

**LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor/Lieutenant-gouverneur: Lt Col The Hon/L'hon Henry N. R. Jackman CM, KStJ, BA, LLB, LLD

Speaker/Président: Hon/L'hon David Warner

Clerk/Greffier: Claude L. DesRosiers

Clerk Assistant and Clerk of Committees/Greffier adjoint et Greffier des comités: Smirle Forsyth

Clerk Assistant and Clerk of Journals/Greffier adjoint et Greffier des journaux: Alex D. McFedries

Sergeant at Arms/Sergent d'armes: Thomas Stelling

Constituency	Name of member	Party	Other responsibilities
Algoma	Wildman, Hon/L'hon Bud	ND	Minister of Natural Resources, minister responsible for native affairs/ministre des Richesses naturelles, ministre délégué aux Affaires autochtones
Algoma-Manitoulin	Brown, Michael A.	L	Chair, standing committee on general government/ Président du Comité permanent des affaires gouvernementales
Beaches-Woodbine	Lankin, Hon/L'hon Frances	ND	Minister of Health, minister responsible for the substance abuse strategy/ministre de la Santé, ministre responsable de la Stratégie de prévention de la toxicomanie
Brampton North/-Nord	McClelland, Carman	L	Vice-Chair, standing committee on general government/ Vice-Président du Comité permanent des affaires gouvernementales
Brampton South/-Sud	Callahan, Robert V.	L	
Brant-Haldimand	Eddy, Ron	L	
Brantford	Ward, Brad	ND	parliamentary assistant to Minister of Industry, Trade and Technology/adjoint parlementaire du ministre de l'Industrie, du Commerce et de la Technologie
Bruce	Elston, Murray J.	L	opposition House leader/ chef parlementaire de l'opposition
Burlington South/-Sud	Jackson, Cameron	PC	Chair, standing committee on estimates/ Président du Comité permanent des budgets des dépenses
Cambridge	Farnan, Mike	ND	Vice-Chair, standing committee on the Legislative Assembly/ Vice-Président du Comité permanent de l'Assemblée législative
Carleton	Sterling, Norman W.	PC	
Carleton East/-Est	Morin, Gilles E.	L	Deputy Speaker and Chair of the Committee of the Whole House/ Vice-Président et Président du Comité plénier de l'Assemblée législative
Chatham-Kent	Hope, Randy R.	ND	parliamentary assistant to Minister of Community and Social Services/adjoint parlementaire du ministre des Services sociaux et communautaires
Cochrane North/-Nord	Wood, Len	ND	parliamentary assistant to Minister of Natural Resources/ adjoint parlementaire du ministre des Richesses naturelles
Cochrane South/-Sud	Bisson, Gilles	ND	parliamentary assistant to Minister of Northern Development and Mines, parliamentary assistant to minister responsible for francophone affairs/adjoint parlementaire de la ministre du Développement du Nord et des Mines, adjoint parlementaire du ministre délégué aux Affaires francophones
Cornwall	Cleary, John C.	L	
Don Mills	Ward, Margery	ND	parliamentary assistant to Minister of Government Services/ adjointe parlementaire du ministre des Services gouvernementaux
Dovercourt	Silipo, Hon/L'hon Tony	ND	Minister of Education/ministre de l'Éducation
Downsview	Perruzza, Anthony	ND	parliamentary assistant to minister responsible for the greater Toronto area/adjoint parlementaire de la ministre responsable du Bureau de la région du grand Toronto
Dufferin-Peel	Tilson, David	PC	
Durham Centre/-Centre	White, Drummond	ND	Chair, standing committee on regulations and private bills/ Président du Comité permanent des règlements et des projets de loi privés
Durham East/-Est	Mills, Gord	ND	parliamentary assistant to Minister of Municipal Affairs/ adjoint parlementaire du ministre des Affaires municipales
Durham West/-Ouest	Wiseman, Jim	ND	parliamentary assistant to Minister of Revenue/ adjoint parlementaire de la ministre du Revenu
Durham-York	O'Connor, Lawrence	ND	parliamentary assistant to minister responsible for the substance abuse strategy/adjoint parlementaire de la ministre responsable de la Stratégie de prévention de la toxicomanie
Eglinton	Poole, Dianne	L	
Elgin	North, Hon/L'hon Peter	ND	Minister of Tourism and Recreation/ ministre du Tourisme et des Loisirs
Essex-Kent	Hayes, Pat	ND	parliamentary assistant to Minister of Agriculture and Food/ adjoint parlementaire du ministre de l'Agriculture et de l'Alimentation
Essex South/-Sud	Mancini, Remo	L	Chair, standing committee on public accounts/ Président du Comité permanent des comptes publics

Constituency	Name of member	Party	Other responsibilities
Etobicoke-Lakeshore	Grier, Hon/L'hon Ruth A.	ND	Minister of the Environment, minister responsible for the greater Toronto area/ministre de l'Environnement, ministre responsable du Bureau de la région du grand Toronto
Etobicoke-Humber	Henderson, D. James	L	
Etobicoke-Rexdale	Philip, Hon/L'hon Ed	ND	Minister of Industry, Trade and Technology/ ministre de l'Industrie, du Commerce et de la Technologie
Etobicoke West/-Ouest	Stockwell, Chris	PC	
Fort William	McLeod, Lyn	L	Leader of the Opposition/chef de l'opposition
Fort York	Marchese, Rosario	ND	parliamentary assistant to the Premier, parliamentary assistant to Minister of Intergovernmental Affairs/adjoint parlementaire du premier ministre, adjoint parlementaire du ministre des Affaires intergouvernementales
Frontenac-Addington	Wilson, Hon/L'hon Fred	ND	Minister of Government Services/ ministre des Services gouvernementaux
Grey	Murdoch, Bill	PC	
Guelph	Fletcher, Derek	ND	parliamentary assistant to Minister of Consumer and Commercial Relations/adjoint parlementaire de la ministre de la Consommation et du Commerce
Halton Centre/-Centre	Sullivan, Barbara	L	
Halton North/-Nord	Duignan, Noel	ND	Chair, standing committee on the Legislative Assembly/ Président du Comité permanent de l'Assemblée législative
Hamilton Centre/-Centre	Christopherson, Hon/L'hon David	ND	Minister of Correctional Services/ministre des Services correctionnels
Hamilton East/-Est	Mackenzie, Hon/L'hon Bob	ND	Minister of Labour/ministre du Travail
Hamilton Mountain	Charlton, Hon/L'hon Brian	ND	Minister of Financial Institutions, Minister of Energy/ ministre des Institutions financières, ministre de l'Énergie
Hamilton West/-Ouest	Allen, Hon/L'hon Richard	ND	Minister of Colleges and Universities, Minister of Skills Development/ministre des Collèges et Universités, ministre de la Formation professionnelle
Hastings-Peterborough	Buchanan, Hon/L'hon Elmer	ND	Minister of Agriculture and Food/ ministre de l'Agriculture et de l'Alimentation
High Park-Swansea	Ziemba, Hon/L'hon Elaine	ND	Minister of Citizenship, minister responsible for human rights, disability issues, seniors' issues and race relations/ministre des Affaires civiques, ministre déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales
Huron	Klopp, Paul	ND	parliamentary assistant to Minister of Agriculture and Food/ adjoint parlementaire du ministre de l'Agriculture et de l'Alimentation
Kenora	Miclash, Frank	L	opposition deputy whip/whip adjoint de l'opposition
Kingston and The Islands/ Kingston et Les Îles	Wilson, Gary	ND	parliamentary assistant to Minister for Skills Development/ adjoint parlementaire du ministre de la Formation professionnelle
Kitchener	Ferguson, Will	ND	parliamentary assistant to Minister of Transportation/ adjoint parlementaire du ministre des Transports
Kitchener-Wilmot	Cooper, Mike	ND	parliamentary assistant to the Solicitor General; deputy government whip; Chair, standing committee on administration of justice/ adjoint parlementaire du Solliciteur général, whip adjoint du gouvernement, Président du Comité permanent de l'administration de la justice
Lake Nipigon/Lac-Nipigon	Pouliot, Hon/L'hon Gilles	ND	Minister of Transportation, minister responsible for francophone affairs/ministre des Transports, ministre délégué aux Affaires francophones
Lambton	MacKinnon, Ellen	ND	Vice-Chair, standing committee on regulations and private bills/ Vice-Présidente du Comité permanent des règlements et des projets de loi privés
Lanark-Renfrew	Jordan, W. Leo	PC	
Lawrence	Cordiano, Joseph	L	Vice-Chair, standing committee on public accounts/ Vice-Président du Comité permanent des comptes publics
Leeds-Grenville	Runciman, Robert W.	PC	Chair, standing committee on government agencies/ Président du Comité permanent des organismes gouvernementaux
Lincoln	Hansen, Ron	ND	Chair, standing committee on finance and economic affairs/ Président du Comité permanent des finances et des affaires économiques
London Centre/-Centre	Boyd, Hon/L'hon Marion	ND	Minister of Community and Social Services, minister responsible for women's issues/ministre des Services sociaux et communautaires, ministre déléguée à la Condition féminine
London North/-Nord	Cunningham, Dianne	PC	Progressive Conservative chief whip/ whip en chef du Parti progressiste-conservateur
London South/-Sud	Winninger, David	ND	parliamentary assistant to the Attorney General, parliamentary assistant to minister responsible for native affairs/ adjoint parlementaire du Procureur général, adjoint parlementaire du ministre délégué aux Affaires autochtones

Constituency	Name of member	Party	Other responsibilities
Markham	Cousens, W. Donald	PC	Progressive Conservative deputy House leader/ chef parlementaire adjoint du Parti progressiste-conservateur parliamentary assistant to Minister of the Environment/ adjointe parlementaire de la ministre de l'Environnement
Middlesex	Mathysen, Irene	ND	
Mississauga East/-Est	Sola, John	L	
Mississauga North/-Nord	Offer, Steven	L	Vice-Chair, standing committee on estimates/ Vice-Présidente du Comité permanent des budgets des dépenses opposition chief whip/whip en chef de l'opposition parliamentary assistant to Minister of Tourism and Recreation/ adjoint parlementaire du ministre du Tourisme et des Loisirs
Mississauga South/-Sud	Marland, Margaret	PC	
Mississauga West/-Ouest	Mahoney, Steven W.	L	
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Nepean	Daigeler, Hans	L	
Niagara Falls	Harrington, Margaret H.	ND	
Niagara South/-Sud	Coppen, Hon/L'hon Shirley	ND	leader of the Progressive Conservative Party/ chef du Parti progressiste-conservateur parliamentary assistant to Minister of Industry, Trade and Technology/du ministre de l'Industrie, du Commerce et de la Technologie
Nickel Belt	Laughren, Hon/L'hon Floyd	ND	
Nipissing	Harris, Michael	PC	
Norfolk	Jamison, Norm	ND	Solicitor General/Solliciteur général Minister of Housing/ministre du Logement
Northumberland	Fawcett, Joan M.	L	
Oakville South/-Sud	Carr, Gary	PC	
Oakwood	Rizzo, Tony	ND	
Oriole	Caplan, Elinor	L	
Oshawa	Pilkey, Hon/L'hon Allan	ND	
Ottawa Centre/-Centre	Gigantes, Hon/L'hon Evelyn	ND	
Ottawa East/-Est	Grandmaître, Bernard C.	L	
Ottawa-Rideau	O'Neill, Yvonne	L	
Ottawa South/-Sud	McGuinty, Dalton J.P.	L	
Ottawa West/-Ouest	Chiarelli, Robert	L	
Oxford	Sutherland, Kimble	ND	
Parkdale	Ruprecht, Tony	L	Progressive Conservative House leader/ chef parlementaire du Parti progressiste-conservateur Minister of Culture and Communications/ ministre de la Culture et des Communications parliamentary assistant to Minister of Citizenship/ adjointe parlementaire de la ministre des Affaires civiques Minister of Revenue/ministre du Revenu
Parry Sound	Eves, Ernie	PC	
Perth	Haslam, Hon/L'hon Karen	ND	
Peterborough	Carter, Jenny	ND	parliamentary assistant to the Treasurer of Ontario and Minister of Economics/adjoint parlementaire du Trésorier de l'Ontario et du ministre de l'Économie
Port Arthur	Wark-Martyn, Hon/L'hon Shelley	ND	
Prescott and Russell/	Poirier, Jean	L	
Prescott et Russell			
Prince Edward-Lennox-South	Johnson, Paul R.	ND	
Hastings/ Prince-Edward-			
Lennox-Hastings-Sud			
Quinte	O'Neil, Hugh P.	L	Attorney General/Procureur général Deputy Leader of the Opposition/chef adjoint de l'opposition Minister of Consumer and Commercial Relations/ ministre de la Consommation et du Commerce Second Deputy Chair of the Committee of the Whole House/ Deuxième Vice-Président du Comité plénier de l'Assemblée législative parliamentary assistant to the Premier/adjoint parlementaire du premier ministre
Rainy River	Hampton, Hon/L'hon Howard	ND	
Renfrew North/-Nord	Conway, Sean G.	L	
Riverdale	Churley, Hon/L'hon Marilyn	ND	
S-D-G & East Grenville/	Villeneuve, Noble	PC	opposition deputy House leader/chef parlementaire de l'opposition government whip; Vice-Chair, standing committee on the Ombudsman/ whip du gouvernement, Vice-Présidente du Comité permanent de l'ombudsman
S.-D.-G. & Grenville-Est			
St Andrew-St Patrick	Akande, Zanana	ND	
St Catharines	Bradley, James J.	L	
St. Catharines-Brock	Haeck, Christel	ND	
St. George-St. David	Vacant		

Constituency	Name of member	Party	Other responsibilities
Sarnia	Huget, Bob	ND	parliamentary assistant to Minister of Energy; Vice-Chair, standing committee on resources development/ adjoint parlementaire du ministre de l'Énergie, Vice-Président du Comité permanent du développement des ressources
Sault Ste Marie/ Sault-Sainte-Marie	Martin, Tony	ND	parliamentary assistant to Minister of Education/ adjoint parlementaire du ministre de l'Éducation
Scarborough-Agincourt	Phillips, Gerry	L	
Scarborough Centre/-Centre	Owens, Stephen	ND	parliamentary assistant to Minister of Financial Institutions/ adjoint parlementaire du ministre des Institutions financières
Scarborough East/-Est	Frankford, Robert	ND	
Scarborough-Ellesmere	Warner, Hon/L'hon David	ND	Speaker/Président
Scarborough North/-Nord	Curling, Alvin	L	opposition deputy whip/whip adjoint de l'opposition
Scarborough West/-Ouest	Swarbrick, Anne	ND	
Simcoe Centre/-Centre	Wessenger, Paul	ND	parliamentary assistant to Minister of Health/ adjoint parlementaire de la ministre de la Santé
Simcoe East/-Est	McLean, Allan K.	PC	Vice-Chair, standing committee on government agencies/ Vice-Président du Comité permanent des organismes gouvernementaux
Simcoe West/-Ouest	Wilson, Jim	PC	
Sudbury	Murdock, Sharon	ND	parliamentary assistant to Minister of Labour/ adjointe parlementaire du ministre du Travail
Sudbury East/-Est	Martel, Hon/L'hon Shelley	ND	Minister of Northern Development and Mines/ ministre du Développement du Nord et des Mines
Timiskaming	Ramsay, David	L	
Victoria-Haliburton	Drainville, Dennis	ND	First Deputy Chair of the Committee of the Whole House/ Premier Vice-Président du Comité plénier de l'Assemblée législative
Waterloo North/-Nord	Witmer, Elizabeth	PC	
Welland-Thorold	Kormos, Peter	ND	Chair, standing committee on resources development/ Président du Comité permanent du développement des ressources
Wellington	Arnott, Ted	PC	
Wentworth East/-Est	Morrow, Mark	ND	Chair, standing committee on the Ombudsman; Vice-Chair, standing committee on administration of justice/ Président du Comité permanent de l'ombudsman, Vice-Président du Comité permanent de l'administration de la justice
Wentworth North/-Nord	Abel, Donald	ND	government whip/whip du gouvernement
Willowdale	Harnick, Charles	PC	
Wilson Heights	Kwinter, Monte	L	
Windsor-Riverside	Cooke, Hon/L'hon David	ND	Minister of Municipal Affairs, Chair of the Management Board of Cabinet and government House leader/ministre des Affaires municipales, président du Conseil de gestion du gouvernement, et chef parlementaire du gouvernement
Windsor-Sandwich	Dadamo, George	ND	parliamentary assistant to Minister of Culture and Communications/ adjoint parlementaire de la ministre de la Culture et des Communications
Windsor-Walkerville	Lessard, Wayne	ND	parliamentary assistant to Chair of the Management Board of Cabinet/adjoint parlementaire du président du Conseil de gestion du gouvernement
York Centre/-Centre	Sorbara, Gregory S.	L	
York East/-Est	Malkowski, Gary	ND	parliamentary assistant to Minister of Citizenship/ adjoint parlementaire de la ministre des Affaires civiques
York Mills	Turnbull, David	PC	Progressive Conservative whip/whip du Parti progressiste- conservateur
York North/-Nord	Beer, Charles	L	Chair, standing committee on social development/ Président du Comité permanent des affaires sociales
York South/-Sud	Rae, Hon/L'hon Bob	ND	Premier, President of the Executive Council, Minister of Intergovernmental Affairs/premier ministre, président du Conseil des ministres, ministre des Affaires gouvernementales
Yorkview	Mammoliti, George	ND	parliamentary assistant to Minister of Correctional Services/ adjoint parlementaire du ministre des Services correctionnels

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Second Session, 35th Parliament

Official Report of Debates (Hansard)

Thursday 8 October 1992

Assemblée législative de l'Ontario

Deuxième session, 35^e législature

Journal des débats (Hansard)

Jeudi 8 octobre 1992



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 8 October 1992

The House met at 1002.

Prayers.

PRIVATE MEMBERS' PUBLIC BUSINESS

TRADE DEVELOPMENT

Mr Curling moved resolution number 27:

That, in the opinion of this House, since over 75% of the trade of the province of Ontario is with the United States of America; and since Ontario has created exceptional technological infrastructure in the areas of health, resources, transportation, education and technological development; and since we have in our recent history an example of how enhanced and exuberant economic growth has beneficially affected the attitude of citizens of all countries towards the people of Japan; and since attitudes of racial intolerance towards Japanese people have given way to respect and cultural sensitivity, as a consequence of that nation's contributions to the global economy; and since it is the genuine intent of every citizen of Ontario to move towards greater equality and the establishment of a better system of securing to every person the human rights for which our democratic society stands; and since Ontario has abandoned efforts with bettering trade with developing nations; the government of Ontario should make a significant commitment and a concerted effort to re-establishing very active trade activities with developing nations that will focus on technology transfer and the enhancing of the skills of the people and, through trade policies, which benefit the economy of the province of Ontario as well as the economies of developing nations, the citizens of Ontario will acquire a sensitivity towards the culture of developing nations and a regard for their citizens as persons deserving of respect.

The Deputy Speaker (Mr Gilles E. Morin): Pursuant to standing order 94(c)(i), the honourable member has 10 minutes for his presentation.

Mr Alvin Curling (Scarborough North): I want to tell members what an opportunity this is for me. I appreciate this opportunity to bring that resolution before the House, which I feel very strongly about and which I am sure all members of the House will support.

As I said, the province of Ontario trades with the United States, and the trading position of the United States with Ontario is more than 75%. About 87% of all the trade that happens in Ontario is with the United States; a further 5% is traded with Japan. So you can see, and I just want to put the situation straight, that the remaining 8% of the trading that we do with the rest of the world is distributed around, with Asia and other nations; only 8%.

We are very proud in this province of the equity aspect of dealing with people: the laws that are put in place and the regulations that are put in place, the Human Rights Code, employment equity, police issues. We have done situations in which we have changed curriculum to address

and be sensitive to the visible minorities in this province. As a matter of fact, over 60% of our population is visible minorities. They are from Asia, the Caribbean, Latin America and Africa.

What does this mean basically in the economic sense? We have a tremendous opportunity to trade with the rest of the world. We do, of course, appreciate the fact that the greatest nation in the world is right beside us on our doorsteps, at the border: the United States. The old saying goes, as you recall, that if we put all our eggs in one basket, it's quite possible that we could suffer if there is any downsize to that. The expression goes that of course if the United States sneezes, Canada catches a cold, and Ontario itself is just on that border.

If we look, if we want to be very effective, I think we could divide our situation in two respects, one in which we can talk about aid, and we can talk about trade. We can talk about serving people effectively. We can give aid to the developing nations. For instance, in Somalia today, where they have problems, we can send food and medicine. In the meantime that's on a short-term basis, but on the long-term basis I don't feel it does anything. I think if we set up a proper trade relationship with those countries, we are better off.

We in Canada, we in Ontario, are in a very fortunate position. What do we have? We have a diverse multicultural society. No longer do we have to import expertise to speak to the other nations of the world. In Canada, for instance, we are a member of the G-7 nations, and the rather interesting situation about that G-7 membership is that we are a member of la francophonie, we are a member of the Commonwealth and we are also a member of the Organization of American States, with an opportunity to serve all nations, yet our situation of trading has been not as effective.

The reason why I draw Japan in perspective as a case in point is that I recall, and you can recall, the time when a Japanese who had ancestors from Japan and was living in Canada, a Canadian Japanese, had properties taken away from him or her just because he or she was a Japanese. That was an appalling human rights situation we had in Canada.

That has been adjusted because what has happened is we see Japan coming out of the ashes and building an economy that is respected over the world. Today we are anxious to trade with Japan.

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I think if we look at the other developing nations, they have been in the trading business for years. If you look at the West Indies or Africa, they have been in the trading business for hundreds of years, and somehow they have been shortchanged in this respect.

Ontario, I feel, has downsized many of its opportunities. They have closed offices now in New York where they could have done an effective job in dealing with the

trading situation in other parts of the world, and this was a lost opportunity.

I feel that if we decide to put some strategy in place, if instead of giving aid we trade with these people, we are better off. Increased trade in helping developing countries improves the standard of living. We have many technologies here that are ready and in need of those countries. As I travel around the world in other developing countries, there is evidence of Canadian technology, roads, aviation, all kinds of technologies that are ready to be received in those countries. It improves those countries' positions.

But what is happening? The decrease of trade is having an appalling effect on those countries. Total exports, just to bring it into perspective, to all countries are about \$74.4 billion. The total imports of Ontario are about \$79.1 billion, and that was in 1990. There is a deficit that you're seeing there. It was worse in 1991. The total exports, of all countries, in 1991 was \$70.7 billion. The total imports, of all countries, is \$97.9 billion. Over the period of 1990 to 1991, the trade deficit nearly doubled from \$4.7 billion to \$8.4 billion. And who suffered the most under those conditions? They are the developing nations. They have decreased their trading relationship with developing nations. This has a tremendous impact on us. I think we have a great opportunity in which to improve our situation in those countries.

We know that national governments cannot control capital. As soon as you put pressure on capital it moves. It's quite flexible. The problem with that is that as capital moves people move. So we have to be quite flexible in responding to the rapid global change. We're a trading province. We have been in the trading business for a long time. As a matter of fact, 30% of our gross domestic product depends on the export sector. In a comparative way in the United States, I think only 17% of its gross domestic product depends on the export trade. In the last 10 years, I think the Americans have seen the light and they're expanding their trading capabilities. I think we have the opportunity here to expand that way.

If we look at Quebec, as I've travelled around some of the countries in the world I've seen evidence of Quebec trying to expand its trading relationships. I feel Ontario has that opportunity, and I emphasize that because of the fact that our culture and our population is quite diverse and we are able to trade with ease with those countries.

It's a challenge, of course, for us at home because of our diversity and, as I said, we have approached it in a very sensible way, but it's an opportunity for us abroad because the opportunity is to increase our trade, to increase our relationships, to increase our human rights approach. I feel that if the government takes a very assertive and progressive approach to trading, we have progressed extremely well in equating it to our equity aspects of legislation in regard to human rights. In trade we can do both, and in the meantime command the respect that we have earned so well.

Also, from the other side itself, we have seen a different life of those people who are willing to trade, who need our technology, and I think we'd have a better world. I think it is called the global village.

Mr Allan K. McLean (Simcoe East): I welcome this opportunity to provide a few comments on this resolution brought forward today by my colleague the member for Scarborough North.

I'd like to read the resolution into Hansard because I think it's important that people realize really what the resolution is that we're speaking on here this morning. It says:

"That, in the opinion of this House, since over 75% of the trade of the province of Ontario is with the United States of America; and since Ontario has created exceptional technological infrastructure in the areas of health, resources, transportation, education and technological development; and since we have in our recent history an example of how enhanced and exuberant economic growth has beneficially affected the attitude of citizens of all countries towards the people of Japan; and since attitudes of racial intolerance towards Japanese people have given way to respect and cultural sensitivity, as a consequence of that nation's contributions to the global economy; and since it is the genuine intent of every citizen of Ontario to move towards greater equality and the establishment of a better system of securing to every person the human rights for which our democratic society stands; and since Ontario has abandoned efforts with bettering trade with developing nations; the government of Ontario should make a significant commitment and a concerted effort to re-establishing very active trade activities with developing nations that will focus on technology transfer and the enhancing of the skills of the people and, through trade policies, which benefit the economy of the province of Ontario as well as the economies of developing nations, the citizens of Ontario will acquire a sensitivity towards the culture of developing nations and a regard for their citizens as persons deserving of respect."

I wanted to relay in my remarks this morning some of the reasons why I think it's going to be difficult to make some of these things happen, because we in this province of Ontario have a significant commitment and a concerted effort to establish trade activities with developing nations that will benefit the province of Ontario. But I find it rather ironic that we are debating this resolution today because the socialist government, through its proposed changes to Ontario's labour laws and its tax-spend-and-borrow approach to fiscal management, is destroying our prosperity and is lowering the province's economy to the same level perhaps as some of the Third World countries. So the government should clean up its own backyard before we take advantage of a developing nation.

I had the opportunity a couple of years ago to go, with a delegation led by Mr Henderson, to Cuba—a very, very worthwhile trip. We watched what happens in some countries that are having some problems, some very difficult problems. When you're rationed to five litres of fuel a month, when you take half the buses off of the streets and when we look at some of the developing countries that are in this problem, I think there's some very bad news there.

When we look at some of the deficits that countries have, it's difficult to find how we are going to be helping more trade with Third World countries. When we look at some of the policies of this government with regard to

some of the taxes, some of the policies put in place, we have to consider, how do we help to affect the attitudes of the citizens here to really make things happen, when we have the unemployment rate that we've got in this province, when we have a province that has expanded debt?

I commend the member for bringing this resolution forward to try to make people aware of what is really happening here. I am also aware, though, of what is happening in other countries. When I speak of Cuba, the problems that it has, I can see why the member brought this resolution forward.

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Even in the province of Ontario in Canada, interprovincial trade is not in place here. Why wasn't interprovincial trade part of this new Constitution that we're dealing with? When we look at trade, it can even be within your own province, in your own country, and Canada should have free trade across provincial lines.

So that's what the resolution says: Ontario should make a significant commitment to trade. When we look at what's happening here, with the technology that we have and the technology that we have lost—it wasn't long ago, the other day, we had a person in committee, dealing with an appointment, and we talked of how our technology has gone to other countries. At one time, almost 10% of the technology that was sold in computers and high-tech was here. That's not happening today; it's down now to about 3%.

So when we look at the trade that's taken place, we look at the Third World countries. The wrong that was made a right with regard to the Japanese people some years ago was a very important step for the togetherness of Canada. The rapid trade changes that we're seeing taking place with the United States, Mexico and Canada are only going to expand. The economy and our high taxation, our high unemployment, our lower productivity and our social structure are limited by soaring health, education and welfare costs.

So when we look at more taxes here, we look at people who have desperate problems with regard to funding. We have to make that commitment to a policy of achieving deficit reduction through expenditure controls and not through tax increases. We must avoid hiking taxes or introducing more taxes. We must cap or roll back wage increases in the public sector and provide tax relief for retail and small businesses so that we can have those funds we need that the member is discussing with regard to the resolution that is before us today.

We must abandon some of the major legislation that we see before us, such as the labour bill, one of the most important pieces of legislation that's ever been brought to this Legislature. I think it'll have a very detrimental effect on this whole province and in other countries at the same time. I say that because, when we look at that legislation, what other country wants to expand its business to Ontario? We can give examples of the tax grabs that have taken place. When we look at increases of 15% in recreation country with regard to camps and hunting licences, there are all kinds of reasons why this government will never be able to do what this member is asking for in his resolution.

With the rapid trade changes that have taken place, it's unfortunate that we're closer to some of the Third World countries than we ever were. We, at one time, were great exporters. We exported a lot to other countries. That is down now.

Mr Curling: The percentage.

Mr McLean: The member has the percentage that it's down. I haven't got them this morning, but he did mention them in his opening remarks.

We have many other issues that are cause for concern, and the focus is on technology transfer and enhancing the skills of people. That was why, some years ago, we had 23 community colleges built, to enhance the skills of people so that we would be able to sell the knowledge we would have here to other countries.

I think the time has come when we have sold out to some other countries such as Germany and Japan. When we look at the car market, we look at all the products that are made in Japan and sold in the United States.

Why, last weekend on W5 they didn't even make it in the States. They brought it in, uncrated it, changed the label to "Made in USA" and sold it. I couldn't believe that would happen and I wouldn't be surprised if the same thing is happening here in Ontario. It wouldn't surprise me at all, because I'm not so sure the government is really on top of the situation.

I said earlier that the government is determined to destroy Ontario's prosperity and is lowering this province's economy to the same level as many developing nations', and that's sad to see. One of the ways the government is doing this is through the unnecessary overhaul of Ontario's labour laws, which will ultimately destroy the unique partnership between labour and business. It is a partnership that is necessary if Ontario is to be economically healthy and vibrant.

The changes that are being made in this province are making it difficult for this province to be competitive with some of the other countries that we're talking about here today. The government shouldn't be giving prospective investors one more reason—and that's what it's doing; it shouldn't be, but it's doing it—not to invest in Ontario by confirming the business community's worst fear: that the government has not listened to its concerns and is determined to proceed with its pro-labour agenda.

The resolution before us today I think is important. It gives us the opportunity to discuss the change in attitudes of some of the people in this province. I think the resolution will probably be looked at more by the metros of Ontario. I think the government of Ontario should make a concerted effort to re-establish some very active trade activities.

Now, I don't know, but I understand the Minister of Industry, Trade and Technology is somewhere in the world. I heard through the grapevine that he is away for three weeks. Obviously, he's not interested in being in this Legislature to answer questions the opposition might have with regard to trade, with regard to high technology.

I want to put on the record that the industry that is being located in the town of Midland, my colleague for

Muskoka-Georgian Bay's riding, is the first in Canada for high-tech skills teaching. I think it's important that this be strongly supported by this province. It was initiated and funded by the federal government but we should be part of that, because I think in trade and technology, for individuals to learn skills, that's where we're falling behind.

I have many people with German ancestry who indicate how far advanced Germany is compared to what we are here in Ontario. I think there should be a far greater effort put into what we're doing here to make sure skills are developed, that people can learn them and that there is an opportunity to learn them.

It's not bad being a mechanic or a plumber or a bricklayer. These people make good money, and so they should. They are the backbone of the country. We should be teaching the skills for those people here in Ontario. We can't all be lawyers and doctors, and it's a good job we're not. It's a good job that we have people like the member for Mississauga here in the House this morning, because his views in his municipal days have been well noted here.

My colleague the other member for Mississauga is the same way. Mississauga is well represented in this House. We look at the development of that one community alone, which is debt-free and has a surplus. Why is it that the government of Ontario cannot balance a budget? Why is it that the government of Ontario continues to increase the debt of every man, woman and child in this province?

I remember coming here when the debt of every man, woman and child in this province was about \$3,200. Today that debt is over \$17,000. That's a tremendous debt. I'm saying there should be a system where governments cannot put debt on to the people of Ontario. They're doing it. Most of the local municipalities are debt-free, not all but most of them, and most of our small-town politicians are very good with the dollar and they look after it and pay their way. Why not the government of Ontario? Why are we putting this debt on our children?

Mr Speaker, I thank you for the opportunity to speak on this resolution.

1030

Mr Brad Ward (Brantford): I'd like to thank the member for Scarborough North for bringing this resolution motion to the attention of the House. I'm pleased to see that we can agree that Canadian business people, Ontario business people, have been too focused in the past on dealing strictly with trade and business initiatives within our own country, as well as the United States. I think we're beginning to realize that with the globalization of the business community, we have to broaden our horizons, look for new opportunities throughout the world and not become strictly focused as we have been in the past on trading with our best trading partner, the United States.

However, I won't be supporting the resolution. The reason is that I have a problem with the wording, specifically "and since Ontario has abandoned efforts with bettering trade with developing nations; the government of Ontario should make a significant commitment and a concerted effort to re-establishing very active trade activities," and then it goes on.

I'd like to point out that our government, the New Democratic government of Ontario, has worked with business in expanding trade opportunities with developing countries, and I'd like to refer to some specific countries.

In the Pacific Rim, South Korea: In 1990, exports to South Korea were approximately \$259 million; in 1991, they were increased to over \$405 million. Taiwan: in 1990, \$201 million in exports, increased in 1991, under the stewardship of the New Democratic government of Ontario, to \$396 million. Pakistan: \$19 million in 1990, increased to \$23 million in 1991.

These aren't simply commodities we're dealing with. We're dealing with plastic and plastic articles, which increased in the entire Pacific Rim, Asia in particular, from \$146 million to \$181 million. Iron and steel increased from \$108 million to over \$399 million.

Let's look at trade with Latin America and the developing countries in that area: Argentina, \$22 million to over \$32 million; Bermuda, \$11 million to over \$20 million; Peru, a small increase but still an increase, \$13 million to over \$14 million; Venezuela, \$82 million in 1990—under the stewardship of the New Democratic government of Ontario, it increased to over \$177 million; Brazil, \$54 million to over \$116 million.

Let's deal specifically with a continent, Africa. We have over 103 projects in various countries of Africa that have received assistance through an agency of our government, the Ontario International Corp. I'm sure the members of the opposition are familiar with that agency; it is very successful. But the projects that are being undertaken in the continent of Africa, in various countries, deal with building the infrastructure so that those countries can improve the quality of life for their citizens.

Example: first, environmental project, for Burkina Faso, a country in Africa, a total project value of \$16 million, and an office building with a value of over \$2 million; natural resources development in Ethiopia, over \$20 million in value. All these are commitments of our government to expanding trade in developing countries, and I think it's important.

Let's talk about the Minister of Industry, Trade and Technology, Ed Philip. He's had a very busy schedule in 1992. He visited Switzerland, Belgium and Spain in the spring. In October, he was in London. He's currently in India and Pakistan.

Might I point out that when I had a meeting with one of the ministers of Pakistan here in Toronto, they were very impressed, because that is the first minister of any government in Canada who is going to visit Pakistan. They're very keen to expand trade with businesses in Ontario. I think that's very impressive.

I won't be supporting this resolution, but I hope the member for Scarborough North won't hold it against me, because I'll be bringing in a private member's bill in the very near future and I hope to have his support in passing that bill. If he would consider changing the words of his resolution, perhaps I could support him, but as it stands, I cannot.

Mr Hans Daigeler (Nepean): It's indeed a pleasure to speak to the motion from the member for Scarborough

North. I'll tell you frankly, especially the viewers who don't quite know how the system works, when I first saw this motion on the order paper, I thought, how is this going to affect me and what does this mean to my constituency in Nepean, to the people there? I was first inclined to say, "Let someone else speak to this motion," as we often do, but then I thought about it again and I realized that my parliamentary colleague put his finger on a very important subject. That subject and why I want to talk about it today is our openness as Canadians to the world over, and of course, as this motion says, particularly to the underdeveloped world.

I was born and raised in Europe, and if there was one characteristic Europeans appreciated about Canada, as much as they knew about Canadians, was their international awareness, their role on the international scene, that they weren't just caught up in their own affairs, that they didn't come in with a heavy hand, as sometimes the Americans would do, but would deal with all countries on an equal level, would be sensitive to their concerns and would work with them. We can all be proud of that recognition, especially Canada's peacekeeping role, so well known all across the world.

When I first learned more about Canada, it was precisely that role, that openness to the world and to the concerns and needs of other peoples, that really attracted me to this country. I must say that in recent years, I find we have become all too parochial in our thinking. I appreciate and I know why that is. Obviously, the constitutional debate we're involved in has really focused our attention very much inwards. Sometimes you have to do that, you have to get your own house in order to be able to look outside again, to go out there and help other people. I hope after October 26, we will be ready to have our house in order, or at least as much as it is possible at this time, and that we're ready to open our eyes and our hearts again to the whole world and specifically the underdeveloped world.

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Now, we could ask, isn't this a federal responsibility? It's the federal government that deals with other nations, with other governments. But, as in all aspects of provincial and federal relationships, the provinces too, and we as Ontarians, have a role to play to encourage trade and to be concerned with the needs of other countries.

My colleague from Scarborough North is so right when he says that we as Ontarians—really, as quite well-off Ontarians; with the knowledge and skills we have in this province, we've nothing to be ashamed of. We have good skills. We have a great education system that can stand up to international tests. It may not be the best and there's need for improvement, but we have something to share, and there are many countries that would like us to share our knowledge and our experience and our skills with them. I think we as Ontarians have an obligation and a responsibility to do that. I'm very pleased and proud to support the direction Mr Curling, the member for Scarborough North, is putting forward.

Especially this government, the NDP government, which prides itself as a party that it stands for the little guy,

for those who are less privileged—mind you, it appears that the member for Welland-Thorold is beginning to wonder whether the NDP is holding true to its old ideals and principles and whether it's beginning to move away from their own high and lofty concerns for the little guy. But if they're true, if this government is true to its own party ideas, then I think the members really ought to support this motion and support the idea of working with developing countries and helping them to improve their economies and move forward with medical and technical advancement and with knowledge.

At the beginning of my comments I asked, why does this affect the people in Nepean? I'm very pleased to say that we have some people in Nepean who in fact are already active in this field.

About three years ago, Mr Des Garvey, whom I know very well, encouraged the city of Nepean—he worked very hard at it and for a long time, and it took him quite a bit to convince a lot of people, but he succeeded. He convinced city hall to establish a partnership with the city of Bo, right in the heart of Africa. I'm pleased to report to the House that we had municipal officials and municipal councillors go to the city of Bo and share some of their expertise in terms of municipal handling and how to deal administratively with the needs of a municipality. That too is a skill. When we think of technology transfer, I don't think we should just think of machines; there's also that administrative skill we have here that we can share with others.

So I'm pleased to say that in my constituency of Nepean, some of the ideas being put forward in this motion are already being implemented. I encourage that, and therefore I'm very pleased to support this motion. I encourage all the members of the House to do likewise.

Mr Mike Farnan (Cambridge): I support the intent of the motion. When the member speaks of the sensitivity of Canada and of Ontarians to emerging nations, obviously he has the support of all of the members of the House. Unfortunately, there are many things in the motion which are convoluted, which allow me, unfortunately, to have to stand here and say I cannot support the motion.

There is an implication in the motion, for example, that as one becomes wealthy as a nation, therefore one grows in respect. I have to believe that the manner in which wealth is created is very important and therefore there are some emerging economies where, if we look at the type of working conditions within those economies, we would have to stand back and say, "No, this is inhumane."

When we talk about a situation in Canada, we have created an economy where an individual has some dignity within that economy, where people have the right to work in a safe, clean, humane working environment; to receive reasonable wages for his efforts; to have democratic rights; to belong to a bargaining unit and to negotiate collectively. These are substantive rights and I would say to my colleague across the House that this is a beacon. The labour-management relations we have established in this province and are establishing in this province indeed is a beacon to the world as to the kinds of relationships that can exist, the solid working relationships, the good quality of life that

can exist between employers and employees within a working environment.

What is the kind of example we want to give? We want to give environmental legislation and we do that in Ontario by enlightened, progressive legislation in the field of the environment, management-labour relations and human rights relations. This of course, I believe, is our gift to the world. I believe we can proudly stand up and say that we are pioneers, that we are at the forefront of the most progressive kinds of legislation in the fields of the environment, labour-management and human rights.

As I listened to the debate I heard very little, with the exception of the member for Nepean, moving outside the realm of government. I believe that what we really should be talking about is not government intervention. We certainly have government involvement. We have embassies. We have trade centres. We have trade missions. We have seen the example of our Minister of Industry, Trade and Technology not only bringing politicians but business leaders with him on trade missions, so that indeed there is a real partnership between government and business as we extend the arm of friendship and help across waters and across boundaries.

I believe very intensely in the role of the private sector. I believe very intensely in the type of partnership that must exist between government and the business sector as we extend that arm of friendship and help abroad. In the region, for example, where I hail from, the wonderful city of Cambridge and the region of Waterloo, not only do our businessmen travel abroad representing their company—fine companies: Babcock and Wilcox, for example, bringing in export orders from abroad. Not only do they go out there as salesmen for their company, but they bring the information about all of the other companies, all of the other expertise and all of the other technologies that are available within our region and within Ontario. So it doesn't become a parochial mission, but indeed a mission on behalf of all of Ontario. This is the kind of partnership between business and labour that we absolutely believe in.

I will simply close my remarks by saying that while I have much respect for the member who presented the motion, the motion fails to give credit to the government for the fine work it is doing, both abroad and in the fields of the environment, labour-management legislation and human rights.

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Mr Steven W. Mahoney (Mississauga West): I think members opposite, frankly, have missed one of the most important points of this resolution, and it's the last two sentences where the member for Scarborough North talks about benefiting "the economy of the province of Ontario as well as the economies of developing nations, the citizens of Ontario will acquire a sensitivity towards the culture of developing nations and a regard for their citizens as persons deserving of respect."

I think there's a message there that perhaps hasn't come through and is very much part of the intent of the member for Scarborough North in putting forward this resolution. What I interpret him as saying is that when you

trade, you must learn about the cultures and the traditions in a particular country. If we expand our trading horizons, we will learn more about what's going on in those particular countries and what's important to the peoples of those nations. When we learn we grow to understand, and when we understand we grow, and when we grow we prosper. I see it as a circle.

I think what the member has put forward is a very credible position that indeed will help foster better relationships between all the various communities which live and grow here in Ontario, because we will learn more about the people from Pakistan if we trade more with them, and we will learn more about the people from various countries in Africa if we trade with them. We'll have to. To be able to successfully trade with peoples in those nations, we're going to have to learn what's important to them.

One of the things in the resolution talks about how the relationship with Japan has evolved. I can tell you that if you want to do business with the Japanese or many Asian peoples, you have to take time to understand their culture before you actually make the sale. You have to back off. It's not like North American business where you can go in and there's a power close or you try to make the deal and everyone's only thinking of the buck. In their situation they want you to understand what's important to them and what's important to their country.

As a result of that trade, what this resolution is saying is that we have grown to understand the Japanese culture and what's important to the Japanese people, and as a result of that growth and that knowledge and that increased exposure, we have grown to respect not only the country but the people of Japan. The reality is that respect was not there in the 1940s and the 1950s. That kind of respect and growth has developed as a result of an open and aggressive trade policy with the people of that nation.

What this member is saying is that we talk about racial harmony and disharmony and we talk about all the multicultural problems that exist in our society. If we think in terms of doing business with people from the various countries in the world, we will grow to understand them. I think this is a very creative way of dealing with many of the problems we have to face in our community in learning to get along with one another. It's a creative way that will benefit the economy in Ontario and ultimately in these other nations.

I found it somewhat curious and interesting that the member for Brantford would talk about all the statistics of how trade has increased with various countries in the world. I believe what the member is confusing is the difference between trade and aid. No one disputes that Canada is recognized throughout the world as a generous country. No one disputes that when we have hurricanes and damage and problems and poverty and hunger, Canadian agencies, and indeed Ontario agencies, provide aid to those nations that need that help. That's not what this is talking about. There's a difference.

We should continue our foreign aid policies to help people who are starving and who are less fortunate. What we're talking about is that maybe if we change from aid

and concentrate on trade, we'll improve the economies so that those nations won't require the aid that's going overseas in the billions of dollars every year from the Canadian taxpayer, and in turn, we can then get a benefit for our own business people in encouraging them to do business.

The benefits of international trade, and particularly of expanding it to developing nations, are that we get to learn more about the peoples from those developing nations, we get to prosper in our own right as a strong economy—the ninth largest as an entity in the world, as a matter of fact—we grow in understanding and we grow in respect. It's what I would call an absolute win-win situation for everybody involved.

It's very important that when we quote how trade has increased with Argentina and Korea, it is curious to me that the way that trade has increased is by selling them Candu reactors, a product this government has clearly said it's opposed to. Yet they're prepared to stand up and beat their chest with great pride at the fact that they might have had something to do with AECL in my riding making a sale to Korea for Candu reactors and nuclear energy. Yet they stand on the other side of their mouth and say that nuclear energy is wrong.

I'm afraid you can't claim that you're doing wonderful things in trade when in fact it's the private sector that's doing it and it's former governments that have supported that industry and put in place an infrastructure that will allow it to sell its products. You can't have it both ways, folks.

When you talk about energy from waste, this minister stands up and says she's opposed to burning anything. Notwithstanding the fact that there are apartment buildings and households burning their garbage all over this province, she's going to save the environment by stopping it. Yet on the other hand, we export technology and energy from waste to Asia and all over the world. This government clearly has failed to lead any kind of direction in the area of foreign trade.

I congratulate the member for putting forward this very progressive resolution.

Mr Tony Rizzo (Oakwood): The resolution tabled by the member for Scarborough North offers some very interesting points for debate. The fact that the economy of our province is subsidiary to the United States, also known as a branch plant economy, presents risks that in better times have been underestimated with the blind faith of previous governments for everlasting economic growth where recessions would be, at worst, short stops on the way to a bigger prosperity.

It isn't so. The world economy has stopped. No one is sure when it will take off again. The markets of the western countries are not able to absorb the goods we produce. The eastern European countries will not be a market for our goods for years. We have to look at Third World countries to establish commerce.

Commerce, with the ties it establishes between human beings from different cultures and different areas of the world, has always been the first step towards tolerance, mutual understanding and respect. I know that too often in the past the interest of the most powerful nation in the

relation prevailed. Think of English or French colonialism or of the so-called American imperialism.

But this is Ontario, this is Canada. Our traditions are different. Because of our peacefulness, our role in defending peace and in helping poor countries directly or through the United Nations, we are welcome everywhere in the world. The multicultural mosaic of our people, and this is particularly true for Ontario, gives us an incredible advantage over other nations. We are able to approach other countries knowing their values, their languages and their cultures because those cultures, those languages, those values exist in Ontario. Brought here by immigrants, they are able to grow and flourish in our province, defended and protected against discrimination by our laws and traditions.

But respect and knowledge of other nations is not enough. We have to offer them goods they need. We have to compete for those markets with the other industrialized countries. We have to overcome the challenge of this economic crisis, not a recession but a renewal, a shift in our industrial structure. It was the previous provincial administration that in 1990 wrote, identifying the challenges to prepare Ontario for the new global economy:

"Most of that restructuring involves shifting resources out of low-wage businesses and the commodity segments of resource and mature manufacturing business into higher value added products and services.... It is only by continually raising our value added per employee that we can increase our wealth and maintain a high standard of living."

This was the previous administration's idea. It is true, this is all true, and this government is addressing those concerns through our Jobs Ontario Training fund, through changes in the school systems and with continued attention to the multicultural fabric of Ontario.

This government is multiplying the efforts towards a full implementation of the scopes and ideals of the resolution tabled by the member for Scarborough North, and the Minister of Industry, Trade and Technology is taking every possible step to ensure the growth and diversification of our economy and of the markets we target. But it is a common effort. As a government, we are doing our part and will continue to do so.

1100

Mr Curling: I think the resolution I put forward has really made its point. It's not about who votes for it or against it; it's about how we address it and debate it. It's important that we speak about these issues and look at it from a different point of view. This resolution is about addressing equality issues by building economic linkages.

With this resolution can do is to make some rather comprehensive progress. It's about the global economy and how we are tapping into other nations. It's not about who owns capital, but how capital performs in any economy. This resolution made its point, and I think members have debated that and have reflected on it. I'm not concerned if one says, "We shall not support this because it says a negative thing about my government or my minister." I'm not concerned about that. I'm beyond that and I hope we're all beyond that.

It's about our socioeconomic agenda, with a human face. It's about the global village. It's about how we see the world, and the world is right here in our arms here with different nations and how we relate to each other. Giving aid is a good thing, as my colleague stated, but aid is not enough. It's how we relate to each other. We can build each other, we can complement each other; we cannot be a nation unto ourselves. Technology has taken care of that. We can stay right here and communicate across the world.

I urge the members to continue this kind of debate, to be sensitive to other nations and know they're here, because we can benefit much more from it and also have the other countries benefit from it too.

ACCESSORY APARTMENTS

Mrs Marland moved resolution number 23:

That, in the opinion of this House, recognizing that on June 18, 1992, the Minister of Housing released the consultation paper, *Apartments in Houses*, which contains draft legislation to allow home owners to create an apartment in a house without municipal zoning approval; and recognizing that the Housing ministry's consultation period, even with the ministry's decision to accept written submissions after the deadline of August 31, 1992, is inadequate for legislative changes of this magnitude; and recognizing that several parties, including the Association of Municipalities of Ontario, many municipal councils, the Ontario Home Builders' Association and many ratepayer groups, have identified serious deficiencies in the proposed legislation; and recognizing that these deficiencies include the following:

- Failing to recognize that accessory apartments, unless located in suitably zoned areas, may not offer a reasonable quality of life for their occupants or be compatible with their surrounding neighbourhoods;

- Failing to provide adequate legal protection to home owners who need to regain possession of their accessory apartments.

- Interfering with municipal zoning authority and negating official plans and decades of land use planning decisions.

- Failing to provide municipalities with licensing authority for accessory apartments.

- Failing to consider how municipalities and the school boards will pay for the services required by the residents of accessory apartments.

- Failing to consider whether sufficient infrastructure is in place to accommodate the residents of accessory apartments.

- Failing to require onsite parking for accessory apartments.

- Contributing to the "absentee landlord syndrome" by failing to limit accessory apartments to owner-occupied homes.

Therefore, the Minister of Housing should not introduce the legislation proposed in the consultation paper, *Apartments in Houses*, which would permit an apartment as of right in a detached, semi-detached or row house.

The Acting Speaker (Mr Noble Villeneuve): Mrs Marland has moved second reading of ballot item 24. The

honourable member for Mississauga South will have 10 minutes to initiate the debate, after which all three parties in the Legislature will have 15 minutes.

Mrs Margaret Marland (Mississauga South): The NDP government's proposal to permit one apartment as of right in all detached, semi-detached and row houses has aroused a storm of controversy in my community of Mississauga and across the province.

As the Progressive Conservative spokesperson for Housing, I have had the concerns of many parties, from ratepayer groups to municipalities and home builders' associations, about the draft legislation contained in the consultation paper, *Apartments in Houses*.

Virtually everyone has complained that the NDP government released the consultation paper just before the summer when most people take their vacations. With a deadline of August 31 for responding to the paper, many parties were unable to do so. This is unacceptable for such significant legislative changes.

The basic premises of the proposed legislation—the need for more affordable housing, the need to curb urban sprawl and a plan that will not be a burden on the provincial treasury—are laudable. However, there are many problems with the proposal, some of which I have outlined in my resolution.

First, I would like to comment on the major concerns of Ontario's municipalities.

Speaking on behalf of mayors in the greater Toronto area, Mississauga Mayor Hazel McCallion has said: "We aren't against subsidized housing in basement apartments, but we want to decide where they go. If we have people moving into basement apartments who can't find a place to park, they're going to call the mayor. We have no control and all the responsibility."

The Association of Municipalities of Ontario supports residential intensification as an option. However, it is AMO's position, to quote its president Helen Cooper, that "Decisions on housing intensification policies should be the responsibility of municipalities."

By robbing municipalities of their zoning powers and pre-empting their official plans, the province would be ignoring years of long-range planning by municipal governments, whose decisions reflect the wishes of the majority in their communities, not to mention the incredible millions of dollars that have been spent having planning departments in regional and area municipalities. As AMO said in response to the *Apartments in Houses* consultation paper, "This is an unwarranted interference with municipal zoning authority."

Municipalities, school boards and their ratepayers have identified many other shortcomings in the draft legislation. One of the most serious is the failure to ensure that municipalities and school boards will receive additional tax revenues for the extra occupants of accessory apartments.

Under the Assessment Act, a home with an accessory apartment may generate the same tax assessment as a home with a finished and unrented basement. Unless the additional unit increases the market value of a property by more than \$5,000, which is not always the case, the assessed value of the building does not increase. Moreover,

even if the tax assessment does increase, it does not rise in relation to the number of occupants in the apartment, but rather in proportion to the increase in the home's market value.

1110

Consider the hypothetical case cited by the Credit Reserve Association, Mississauga's largest ratepayer group, in response to the consultation paper:

"If the owner of a typical \$250,000 house spends 5% (\$12,500) to divide it to provide an apartment (no additional square footage), his property taxes on market-based assessment would increase by 5%, while the municipal costs would increase by nearly 100%. Who is going to pay the difference?"

Unless the Assessment Act is amended, all property taxpayers will subsidize municipal and educational services for residents of accessory apartments. There will also be strains on the infrastructure of many municipalities. Some sewers and watermains cannot accommodate the extra demands of accessory apartments. As well, there are concerns about traffic congestion and parking, especially if basement apartments are allowed in houses on narrow lots and there is no requirement for on-site parking.

In addition, there will be pressures on policing services. In my own community, the Peel Regional Police have stated that rapid housing intensification and the region's hidden population are already severely straining policing services. Unless municipalities can collect extra tax revenues for accessory apartments, policing services will be further strained by the inevitable impact of the proposed legislation.

Another important issue is property standards. Allowing accessory apartments as of right will result in more income properties and the absentee landlord syndrome, which can lead to poorly maintained houses and yards. The draft legislation does not limit accessory apartments to owner-occupied homes.

Although the discussion paper proposes giving municipalities broader powers of entry in order to enforce health and safety standards, how are the municipalities going to pay for these apartment inspections? Again, the province is downloading costs and responsibilities on to the municipalities and their property taxpayers.

In my own community, Mississauga city council has responded to the apartments and houses consultation paper by sending a resolution to the Minister of Housing and the Minister of Municipal Affairs. Mississauga's resolution objects to the requirement for accessory apartments in detached dwellings with lot frontages of less than 40 feet, in all semi-detached and town houses, and in garages.

The city also objects to the accessory apartment proposal unless many other conditions are met. For instance, Mississauga wants municipalities to be given the power to license and to impose development charges for accessory apartments. I have also heard from many ratepayers' associations gravely worried about the impact of the proposed legislation on their neighbourhoods.

In my constituency of Mississauga South, the Credit Reserve Association, with its president, Doug Watson, has prepared an excellent response to the consultation paper.

This association has an intensification committee consisting of nearly two dozen volunteers who have worked countless hours to study intensification issues.

As well, there are Fran Wallace of Orchard Heights Homeowners, Frank Kovacs of Sherway Homeowners and Recreation, and Charles Cowley of the South Applewood Residents Association. These associations have raised concerns that are representative of my riding, which consists primarily of mature neighbourhoods with all types of housing and varying lot sizes in one of Canada's fastest-growing suburban cities.

There's also a tremendous hazard where we might have to face the problem of parking on streets without sidewalks. That's an issue on its own.

As I mentioned earlier, the Credit Reserve Association realizes that a proliferation of accessory apartments would cause large increases in their property taxes. The association also points out that, "The new rights are experimental, yet they will be virtually impossible to reverse once conferred (even if the experience is a bad one)." As the association says, we are opening a Pandora's box.

The Ontario Home Builders' Association has also identified potential problems which the draft legislation does not take into account. For example, will expensive building code changes be required to facilitate basement apartments? What about subdivision servicing? Will municipalities increase their persons-per-unit count, resulting in higher development charges?

We must also ask questions about landlord and tenant law for accessory apartments. When we allow accessory apartments as of right, many home owners will opt for the extra income from a basement apartment without understanding the relevant laws and regulations. For instance, it's very difficult to regain possession of an accessory apartment, yet there could be many cases when it would be necessary to evict a tenant. Consider the following hypothetical examples.

What if a tenant tells a non-smoking home owner that he doesn't smoke or she does not smoke, when he or she does and in fact is a smoker? Why should home owners have to share their house with people whose habit endangers the health of the home owners and their families? Yet it would be extremely difficult to evict a smoking tenant.

Second, what if a family needs its basement space to accommodate children, a nanny or aging parents but the tenant refuses to leave despite the landlord's having the right to repossess a rental unit for his own use if he gives the tenant due notice? Should a tenant refuse to leave and the matter goes to court, it could be many months before the family could regain the use of its basement.

Third, what if a family purchases a home with a basement apartment, counting on the rental income to pay the mortgage, but the tenant does not pay the rent? Again, it can take months to evict a tenant for non-payment of rent. That could amount to enough lost income for the home owner to default on his or her mortgage payments.

It appears, then, that changes to the Landlord and Tenant Act would also be required for accessory apartments.

Mr Speaker, I look forward to concluding my speech.

The Acting Speaker: The honourable member will have two minutes in summation at the end of the debate. Further debate on Mrs Marland's motion?

Mr Stephen Owens (Scarborough Centre): It gives me great pleasure to stand up this morning and urge that this resolution be roundly and soundly defeated by this House. I'd like to start off by stating my bias.

In the city of Scarborough we currently have in the neighbourhood of 14,000 to 15,000 illegal basement apartments. My question to the member for Mississauga South is, of course, should we decide not to legalize these basement apartments and we give the municipalities the authority to go in and remove these people from these illegal units, where are we going to put these people? Will the member for Mississauga South and other members of her party assist these people in buying homes so that everybody could be living in the nice 1.7-member family homes that this member envisions in the city of Mississauga?

I want to talk about some of the reasons why we're moving towards the legalization of accessory apartments and some of the inconsistencies that the member's position demonstrates.

First of all, job creation: By eliminating the zoning barriers that stop people from adding basement apartments to their homes, we're going to spur a job creation program in the construction industry, which is quite badly needed.

Again, the first inconsistency that arises in the member's position is that the PCs talk about being concerned about the lack of job creation. As soon as we announce a program that is going to create jobs, and it's the intention of the program to create jobs, they oppose it.

Secondly, while our government remains steadfast in its position, in its commitment to the creation of tens of thousands of non-profit homes, we know this is only part of the solution to the insufficient supply of affordable housing.

Interjections.

The Acting Speaker: Order, please. The honourable member for Scarborough Centre has the floor.

Mr Owens: We need to use other methods to encourage the creation of affordable housing.

I look across the House at the member for Mississauga South and the member for Dufferin-Peel, who, every time the issue of cooperative housing is raised, hit the roof and say, "This is a terrible way to use the taxpayers' dollars." Well, my answer is that we have a proposal that is going to use existing resources without having the Treasurer come to this House to request more tax dollars. But again you say, "No, that's not good enough."

Studies in Toronto, Vancouver and the United States have shown that rents for apartments in houses are in the neighbourhood of 15% to 35% less than those charged in apartment buildings.

One of the legal clinics that my office deals with is Scarborough Community Legal Services, and in particular with a legal worker by the name of Linda Mitchell. She deals with assaulted women and single mums who are in transition between leaving the abusive relationship and trying to get into Metro Housing. These basement apartments

are used as transition points. What are we going to do with the single mums and assaulted women if we don't legalize these apartments, if we don't bring them up to standard?

It's hard to understand, again, in terms of the use of tax dollars, why the party of the taxfighters—the member for Nipissing likes to declare himself a taxfighter—would oppose the use of existing resources, again for these very substantive problems.

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Helping the home owner: Many first-time potential home buyers who were shut out of the ownership market during the inflated 1980s are now out looking again. We thank the third party and its cousins in Ottawa for allowing the interest rates to drop to a more reasonable level. The ability to rent a basement apartment legally would bring in somewhere in the neighbourhood of about \$400 a month. This sometimes makes a difference between being able to afford a home or not.

There are many existing home owners who, because a spouse has recently been laid off or there's been the death of a spouse, need the extra income in order to maintain their homes. The member for Eglinton, Dianne Poole, said in the Ottawa Sun on June 22 of this year that the policy will help seniors having difficulty paying taxes and maintenance costs, and I thank the member for that supportive statement.

Back to the member for Mississauga South: The member has accused the government in the past of not assisting home owners. Yet here we are, trying to assist home owners and we're being criticized for it. She opposes the very measure that is going to help seniors stay in their homes, that is going to help young people buy their first homes, but no, the member for Mississauga South says it's not good.

We want to ensure that rental homes are safe and properly maintained. This initiative, while it's going to create new apartments, is also going to help to ensure that the 100,000 existing apartments in Ontario are properly maintained. The majority of these apartments are currently made illegal because of the very municipal zoning restrictions that the member has referred to. Similarly, tenants who may live in substandard apartments are afraid to call a property standards inspector because they're afraid of losing their homes. What we want to do is bring these houses out of the grey market and into the open so that they can be properly regulated.

With respect to the issue of the absentee landlord, our government's proposal actually counters the fear of the absentee landlord syndrome raised by the member for Mississauga South. Of course, this is an interesting position for the member to take because during the legislative debates and particularly clause-by-clause on rent control the member for Mississauga South portrayed herself as a friend of the landlord. Now what does she say? "Small landlords are evil." Yet another glaring inconsistency in the position.

In summary, our government's proposal on apartments in houses will provide jobs, help home owners and increase the supply of affordable housing. It'll clearly help tenants and landlords ensure rental homes are maintained. The member's resolution shows not a small level of being

economical with the truth, both hers and the position of her party. She has accused us of not wanting to help home owners.

The Acting Speaker: On a point of order, the honourable member for Mississauga South.

Mrs Marland: I ask that member to withdraw his comment, which suggests that I was not telling the truth.

The Acting Speaker: There has been a lot of discussion in the chamber and the Speaker did not hear that. However, I put it to the honourable member for Scarborough Centre, do you have—

Mr Owens: If the member for Mississauga South took offence at that comment, I do withdraw it.

Mr James J. Bradley (St Catharines): That's a weasel way out of it right there; just weasel.

The Acting Speaker: Order, please. The Speaker has great difficulty in hearing the member for Scarborough Centre.

Mr Owens: In closing, I want to urge this House once again to soundly defeat this resolution so that this government can move forward in its program to use existing resources to maintain and create more affordable housing for Ontarians who desperately need this housing.

The Acting Speaker: Further debate?

Mr Ron Eddy (Brant-Haldimand): I rise in support of the resolution because I think that many concerns that have been expressed should be dealt with before proceeding with legislation. I think it's very important.

I'm particularly concerned about the position of the municipalities and the concerns they have expressed. I believe that the ministers and the ministries frequently overlook the fact that municipal governments are composed of elected representatives. The councils indeed are governments at the local level and they have certain mandated responsibilities and services. We have to remember that. So changes in legislation affecting and directing the councils of municipalities should be through consultation and negotiation and not by decree. That's awfully important to remember and to remember that the over 800 municipalities in this province have decided on a single voice to expedite consultation and negotiation with the provincial government. Of course, that's the Association of Municipalities of Ontario, composed of members from all types of municipalities in this province that are more than willing to consult at any time with the provincial government on changes.

The provision of low-cost additional accommodation of course is important and essential and the provision of granny flats is particularly essential, in my opinion. But I want to point out that they are being provided at the present time through the present planning process, which gives people, neighbours and anyone else who wishes to comment the opportunity to do so. Certainly, the input of the municipal governments in the planning process at the time of any change is important and onsite agreements can be negotiated; that's awfully important.

AMO apparently is especially concerned given that the government's proposals are not in the form of options but

represent the government's policy decision. The so-called consultation paper of the government is therefore focused on how to implement the policy and not on the merits and appropriateness of the policy in the first place. In opposition to this approach, AMO has directed its response to questioning the fundamental basis of this policy decision. It's unfortunate that draft legislation was presented with the consultation paper, because what should have happened is the consultation paper should have gone out, there should have been negotiation and consultation about the many changes and then draft legislation should have been circulated for the comments of all those who wish to comment.

So I support the resolution that legislation not be introduced at this time until the concerns of those who wish to express their concerns have been expressed.

Mr Allan K. McLean (Simcoe East): I'm pleased to be able to speak today in support of the resolution of my colleague Margaret Marland, the member for Mississauga South, a resolution asking this government not to proceed with legislation which would permit apartments in detached and semidetached houses.

This proposal is most ill-advised as it ignores the wishes of municipalities. AMO says that it is strongly opposed to this province's draft legislation which would permit an apartment in a house, and calls on the province not to proceed with the introduction of the legislation.

The association does not endorse the approach taken by the province for many reasons. First and foremost, AMO objects to the provincial intrusion into the authority of zoning which has been delegated to municipal councils. Councils will now be held responsible for policy decisions made by the province. AMO is also concerned that given that the government's proposals are not in the form of options but represent the government's policy decision, the consultation paper is therefore focused on how to implement the policy, not on the merits of the appropriateness of the policy in the first place.

Municipalities from all over the province have responded negatively to this idea. Many county governments, for example, Grey and Simcoe, have determined that if enacted, this legislation would have a detrimental effect on our local municipalities: increased demands for municipal services to which they will be unable to reasonably respond, thereby creating possible health, safety and financial problems for the host municipality; parking problems with increased cars; snow removal. It would permit inappropriate conversions, incompatible with adjoining land uses.

1130

AMO says the province should wait for the Sewell commission's recommendations before going ahead with this, and I agree.

It is strange that this government is now telling municipalities to ignore zoning bylaws and allow new dwellings, as they were the same people who went into the municipalities and said no development would be permitted without their authorization. That's what happened in Grey. They went in and said, "No more development," and that stopped everything right there.

This government is in the process now of a consultation process, supposedly, for the county of Simcoe in restructuring. I've got to tell you, this government does not know what consultation means. They said they were going to consult with the people in Middlesex and London with regard to the annexation there. They said they were going to consult with the people in Simcoe county with regard to the restructuring that's taken place there. The consulting process with this government does not exist.

They say they want to have apartments in dwellings, in homes. We go to the village of Coldwater. They've had problem getting the sewage system expanded for the residential development that's there now and what has been approved already in zoning bylaws to permit further development. Here they are saying you must proceed with apartments now when you've not got approval to proceed with the sewage systems, and that is only one municipality that is in that problem.

There are other municipalities all across this province that have real problems of zoning. Scarborough and North York, as well as many other GTA municipalities, have come out firmly opposed to the draft legislation. Hazel McCallion in Mississauga is firmly opposed to this.

Although everyone supports the concept of garden suites or granny flats, there are still some very valid concerns, such as restricting occupancy and regulation of type of unit to be built, which must be worked out before unanimous approval can be given.

This legislation is another example of downloading by the provincial government on to the municipalities at a time when transfer funds are very limited. The whole discussion surrounding legalization of accessory apartments opens the debate on the merits and disadvantages of intensification.

I support this resolution by my colleague from Mississauga. I think it's a very worthwhile resolution because of what this government is intending to do. Do they not know what's going on across the province? Are you not listening to the municipalities out there telling us that they cannot get approvals for sewage systems, to expand their infrastructure? You won't give them funds to do that, yet you're saying, go ahead, put in another apartment, put in another bathroom. Where are your priorities?

Ms Jenny Carter (Peterborough): On a point of order, Mr Speaker: I think we lost some seconds at the end of the last speaker for the government, and I wondered if—

The Acting Speaker: The Clerk has just advised me that they have been added on again. Further debate?

Ms Carter: I would like to strongly oppose the resolution from the member for Mississauga South. To allow apartments in houses will benefit individuals and society in many ways. The disadvantages claimed in the resolution disappear on closer inspection.

The point that jobs will be created has already been made, so I would like to make two other main points. The member for Mississauga South seems to assume that accessory apartments will provide a low standard of accommodation and will adversely affect their surrounding

neighbourhoods. She's also concerned about absentee landlords. However, this ignores the fact that thousands of accessory apartments already exist in an unregulated state.

This legislation will ensure that where there actually are problems, they can be dealt with, whether the landlord lives on the premises or not. Because these apartments will exist openly and legally, municipalities will be better able to inspect and to enforce existing health, safety and property standards. Municipalities asked for a change in the existing requirement that officials must seize physical evidence to prove that these standards are not being met. Some failings, such as low ceilings, cannot be seized. Since their apartments will now be legal, tenants will be able to use official routes to deal with an absentee landlord who is not maintaining the building. Tenants who feared they might lose their homes if they drew attention to their illegal existence were obviously in no position to do this.

As well, the government's new Rent Control Act gives municipalities and tenants the tools for dealing with absentee landlords who do not look after their building. Such landlords will face severe penalties in the form of a rent freeze or rent reduction.

Some 100,000 existing apartments which have been made illegal by zoning but which are both much needed and affordable can now exist openly and be regulated and kept up to standard. Those which do not meet the necessary health and safety and property bylaws will be shut down. All this will obviously have the effect of improving neighbourhoods and quality of life.

Secondly, I would like to refute the contention that there has not been enough time for public discussion of this issue. This is simply not true. This issue was being debated in the early 1980s when the honourable member's one-time colleague, Claude Bennett, was Minister of Housing. The ensuing Liberal government undertook extensive public consultation on the question of apartments in houses when developing the land use planning for a housing policy statement in 1989. Some Liberal members, including Housing critic Dianne Poole, have recognized the need to go beyond this policy statement and show support for the principle of allowing apartments in homes.

The government released its draft statement on June 18. Consultation on how to best achieve the goal of allowing apartments in houses has yielded over 250 responses, which are being carefully considered. There is still plenty of opportunity for input. There will probably be public hearings during the winter.

I know there is support for this legislation in my own riding of Peterborough. According to the Examiner of September 22, the chairman of the Peterborough housing advisory committee reported to council that there was general support for the apartments concept at a housing forum last week.

Accessory apartments are in tune with up-to-date thinking about urban planning. They lead to dense cities and repopulation of inner-city areas. They help reverse a trend to low occupancy of housing due to demographics and more single-parent households.

Municipalities will save by taking up the slack in underutilized services, from sewers to schools, instead of having to build expensive new ones to serve new subdivisions. And,

please note, this move has popular support. People like it. The endorsement of the inclusive neighbourhoods campaign already makes a very impressive list.

The Acting Speaker: Further debate on Mrs Marland's motion?

1140

Mrs Elinor Caplan (Oriole): I rise today to support the resolution by Mrs Marland. The approach I would like to take on this is really one as a former municipal representative. I was alderman in the city of North York, ward 13, for six and a half years. I was on that council at the time the Planning Act of 1984 was fully developed, where there was consultation with the municipalities on the sorts of incentives and disincentives for good planning at that time.

I'm not going to suggest for a moment that the Planning Act was perfect or complete. History has proven that it is in fact in need of significant change and amendment. I point out to the members of this House, and particularly to the Minister of Housing, who is not here today for this important debate, that there is a planning commission going on right now under the auspices of Mr Sewell, and the fact that the minister has tabled this paper at this time I think calls into question the credibility of the work Mr Sewell is doing in the nature of planning in the province of Ontario.

That doesn't mean I'm going to necessarily agree with everything Mr Sewell is going to recommend—I'll wait until I see what he suggests before I go on record in support of recommendations in the future—but I would point out very clearly that that work is undergoing consultation and is taking place.

No wonder municipalities are frustrated with this NDP government. No wonder people are upset and aggravated and cynical. This government says one thing and does the other. They say, "We're consulting on changes to the Planning Act," and then they bring in amendments to the Planning Act, and what do those amendments do? Those amendments take away from the municipality the right to plan. It takes away from the municipality and the local members of council the right to work with their constituents to develop the kind of appropriate zoning to achieve what may be very good and legitimate and important public policy initiatives.

I point out that this NDP proposed amendment, legislation, does more than just take away from municipalities the right to plan, and I agree with AMO that it is an unwarranted intrusion at a time when municipalities are talking and working with the government at the Ministry of Municipal Affairs in areas such as disentanglement and in long-term care reform in areas called devolution. While we're discussing devolution in one ministry and disentanglement in another ministry, you have the NDP ideology at the Ministry of Housing taking away the autonomy of the local municipality, intruding on traditional municipal planning authority and mandating, without consideration to local community interests, in a heavy-handed way that does not bring about the right incentives to make good things happen. That's what people are very resentful of.

Further, the way this Minister of Housing is doing it penalizes those municipalities which have been following the directive that was brought forward by the Liberal government. Those municipalities which have brought forward and put into their municipal plans appropriate standards and amendments for basement apartments, for duplexing, as it is sometimes called, already within their official plans are penalized. Therefore, what is the message that is being sent out there? The message that's being sent out by this NDP government is heavy-handed intrusionary: "We use the stick. We use the legislative hammer. Our words about consultation and partnership, our words about cooperation, are meaningless. When it comes to showing you how we do something, we are intrusionary, we have no respect for the municipal councils and we are not prepared, as a government," this NDP government says to them, "to support and encourage by incentives those municipalities which are willing to upgrade and update and bring their policies into meeting the local needs."

Further, what they're saying is, "We are taking power away from local communities and vesting that in this centrist, socialist approach, which says that we here in Toronto at Queen's Park are going to make decisions for every municipality across the province, whether there's a problem or not. We're not going to listen to the local people. We're not going to look at what actions have been taken. We, the NDP Big Brother," they say to municipalities, "know best."

I would say to the Minister of Housing, I would say to this NDP caucus, that it is not only important what you do; what is even more important is how you do it. While I would agree that there are some aspects—

Mr Anthony Perruzza (Downsview): On a point of order, Mr Speaker: What's not clear and what simply doesn't prove to be consistent in the inferences the member is drawing is that if you allow people to make the decision, the choice for themselves, that's removing state.

The Acting Speaker: Sorry, that's not a point of order.

Mr Perruzza: That's not imposing Big Brother.

The Acting Speaker: Order. That's not a point of order.

Mr Chris Stockwell (Etobicoke West): Put the time back on the clock.

Mrs Caplan: Could I have the time back, please, Mr Speaker?

Mr Stockwell: That was about five minutes.

The Acting Speaker: The honourable member for Oriole.

Mrs Caplan: Don't I get the time back? Mr Speaker, I appeal to you to put the time back on the clock. I've been penalized because a member of the NDP has interfered with my speaking.

The Acting Speaker: I realize that. However, I urge you to continue. We are wasting time.

Mrs Caplan: I will wind up and ask that you consider that request by saying that while the initiative that has been put forward by the government may have some merit to it,

unfortunately, the way the government has done it, the approach it has taken, I believe, will result not only in bad legislation but bad public policy and bad feelings across the province, and I support the proposal by Mrs Marland this morning.

Mr Stockwell: The basic difficulty I find with this particular piece of handiwork by the Minister of Housing is that it's taking away responsibilities that have historically been left at the municipal level. Why have they been left at the municipal level? They have been left at the municipal level simply because all municipalities have different problems. They have different problems, so they have different zoning, different approval processes and different rules. Why do they have different rules? Because you can have a town like Wawa compared to a city like Toronto. You can't tell me they don't have different problems, different issues and different concerns. Having accepted that, that was the reason we set up municipal government, so local councils could deal with local issues.

Mr Perruzza: Big brother.

Mr Stockwell: This is called zoning. If you've spent any time on municipal council, you understand zoning. Zoning is different from city to city, from neighbourhood to neighbourhood and from street to street. Why is it different? It's different because municipalities zone areas as neighbourhoods, industrial, commercial or manufacturing, so they can plan their own neighbourhoods.

Coming from a city that was very well planned, the city of Etobicoke, I think we had a good zoning requirement. We had good planning. We had good processes. Why? Because we understood that well-planned communities worked.

Mr Perruzza: Been there lately?

Mr Stockwell: I hear some heckling from the member from North York and I think North York was well planned. I think it's a good, well-planned community. It's a community that was planned very well, so the question you ask yourself is—

Mr Perruzza: Do you want to come for a drive?

The Acting Speaker: Order, please. The member for Etobicoke West has the floor. You will get your turn.

Mr Stockwell: The question you have to ask yourself is, why now must the provincial government universally pass zoning and planning for all municipalities as if they're all the same?

I know that in the city of Etobicoke, as in Toronto, East York and York, there are neighbourhoods that this just won't work in. Why? Because local municipalities have a difficult time delivering services on certain streets. Why? Because those streets are bombarded with cars in the road. Why are they bombarded with cars? Because they were built pre-war. Their driveways are narrow, if they have driveways. They have a difficult time getting fire trucks down these streets. They have a difficult time collecting the garbage. They have a difficult time clearing the snow. Why? Because cars are parked along both sides of the streets, lined up, making it difficult to pass.

When you say we're going to put basement apartments in, you're compounding the problem. You're creating more cars, more people on the infrastructures, and the infrastructures can't take it.

Interjection.

Mr Stockwell: Sir, I suggest that you've spent not a minute on local council, or you wouldn't say that. Why is Scarborough saying no? Why are they saying no? Because of that very reason. They don't understand the local planning process, the local zoning process, the process that has been built up over many years that has created what I consider to be fine communities in Metropolitan Toronto.

They're trying to resolve this issue, the housing crisis, trying to resolve this problem by simply creating another, and that's no way to solve a problem. If this minister would like to know first hand the she's causing, I demand that she meet with the local councils, meet with the mayors, meet with the councillors. They'll tell you what the problems are, at least in Metropolitan Toronto.

Finally, this issue came before council when I sat. When I sat it was turned down. In previous councils it's been turned down. It was turned down. Why? It was turned down on solid, fundamental planning reasons. That's why it was turned down. For you to simply unilaterally force this on to the municipalities with no thought to infrastructures, to libraries, to roads, to schools or to sewers is so blatantly irresponsible it even shocks me that you'd do it.

1150

Mr David Winniger (London South): I've enjoyed the debate thus far and I particularly agree with the remarks made by my colleague the member for Scarborough Centre and the member for Peterborough, as well. I think they've adequately reinforced for this House and for you, Mr Speaker, that the government's proposal will not only provide jobs and help home owners, but it will also increase the supply of affordable housing and help tenants and landlords ensure their rental homes are maintained. Since time is short, I would also like to dwell on the environmental considerations of this proposal.

London is a good example of the changing demographics in Ontario. In the inner-city, as couples age and their children leave home, there is surplus capacity in our inner-cities. I'm talking about water and sewer systems; I'm talking about schools; I'm talking about libraries; I'm also talking about transit systems.

This land use policy statement that was put out under the tenure of the Liberal government in 1989 certainly recognized the issue of changing household sizes and suggested that governments had to promulgate housing policies that would maximize the use of existing resources, building stock, community and physical services, rather than encourage urban sprawl, rather than encourage municipalities to eat up valuable agricultural land and environmentally sensitive areas—

The Acting Speaker: On a point of order, the honourable member for Oriole.

Mrs Caplan: My point of order, Mr Speaker, is that the member may well be—

Interjections.

The Acting Speaker: Order. We have a point of order here. The member for Oriole.

Mrs Caplan: I've heard several members from the NDP caucus refer to the policies of the former Liberal government. It could be misleading to this House and it would suggest to me that you should intervene.

Interjections.

The Acting Speaker: Order. That's not a point of order. The honourable member for London South.

Mr Winninger: I'm now down to 31 seconds. Could I have some time back? Half a minute will do. I would say in conclusion that if we're going to preserve our valuable farm land, if we're going to preserve our valuable environmentally sensitive areas, if we're going to save the taxpayers of London and Ontario exorbitant tax increases for paying for new municipal infrastructure in subdivisions, we need to fully utilize our existing resources and meet the need in the inner-city to maximize the use of public transit, schools, libraries and so on. So I will be opposing the member's motion.

Ms Dianne Poole (Eglinton): As Liberal Housing critic, I am pleased to be able to add my comments to this debate on a very contentious issue, and make no mistake about it, it is contentious, as you can tell by the tenor of the debate in the House today.

The debate goes far beyond whether there is support for basement apartments and granny flats. It isn't simply a matter of the not in my backyard forces on the one hand versus the forces of progress on the other. In fact, some people who are strong supporters of the concept of intensification and allowing basement apartments are struggling with the way the NDP government has chosen to enforce this policy through legislation. They are concerned about the process and about proceeding, at this stage, with legislation. But first of all, before we talk about process, let's take a quick look at the merits of the issue itself.

I have been a very strong supporter of intensification over the years. I have long believed that municipalities should allow areas where basement apartments would be legal. For a number of reasons, I think it is a good policy direction. First of all, it does increase the housing supply at little cost to the taxpayer. Second, particularly for seniors and young couples who are struggling to pay their mortgage, it allows them that extra income to make ends meet; it is good planning in that it limits suburban sprawl. Finally, and to me one of the most important reasons I support intensification, it would legalize the estimated 100,000 illegal basement apartments where tenants right now have no rights and no protections. They have no rights under the Landlord and Tenant Act. They have no rights under the Rent Control Act. They have no rights to have maintenance enforced. They are afraid to go to the building inspector because their unit may be taken out of the market.

Those are the reasons why intensification should be encouraged. On the other hand, the member for Mississauga South has stated a number of very valid reasons why some

people are so strongly opposed. There are definitely problems attached to this type of intensification.

Interjections.

The Acting Speaker: Order, please. The member for Eglinton has the floor.

Ms Poole: We have had a discussion of the services that would be overlaid on an area by doubling the intensification, such as sewage, services, schools, parking, traffic. Can they handle this increased volume? Previously, that was a decision the municipality would make.

The other problem of absentee landlords is a very real one. That is why university towns such as London, Windsor, Thunder Bay and Guelph have been so firmly opposed to what the government is doing.

The government has made a decision that it will legislate what is best for communities across the province, making irrelevant the planning process at the local level, making irrelevant their official plans and making irrelevant the will of local residents. This legislation will take away municipal autonomy to make decisions for the benefit of an individual community.

Recently, I read in the Toronto Star that one of the councillors from another municipality had said that this is a made-in-Toronto solution on a made-in-Toronto problem. Ironically, this is not a consensus in Toronto. Scarborough is firmly opposed. The city of Toronto is firmly in favour. There is no consensus.

While I am personally very supportive of the principle, when it comes right down to it, I am very leery of legislation that rams something down municipalities' throats, that takes away their autonomy to make these decisions. I urge the government to extend the consultation period, to listen and to come back with a proposal that will bring in intensification without ramming it down municipalities' throats.

The Acting Speaker: Thank you. Further debate?

Mrs Marland: Just to complete my earlier comments, I would like to say finally and perhaps most importantly that my vision for affordable housing in Ontario is not a view from a basement window. Basement apartments are an inadequate solution to our shortage of affordable housing.

In conclusion, I would quote from an editorial in Mississauga's community newspaper, the Mississauga News, "There's no question that there isn't enough affordable housing available, especially in large urban centres like Mississauga, but surely more creative solutions can be found than to throw open the doors to anyone with a basement to get into the landlord business."

I therefore ask the Minister of Housing not to introduce the draft legislation proposed in the consultation paper, Apartments in Houses. The people of Ontario deserve better.

1200

Just before I respond to some of the comments that have been made during the debate this morning, I would like to state for the benefit of the House that the member for Grey had intended to be here this morning to speak on behalf of the many municipalities that have contacted him with their concerns, but unfortunately he was detained at the last moment in his riding and was unable to be here.

But I would say to the member for Scarborough Centre—actually, knowing this member, I'm surprised with some of his argument this morning. I thought for him to talk about basement apartments in the context of where to put assaulted women and single moms was the most deplorable statement I've heard for some time in this Legislature. If this socialist government is standing in this House saying, "We have a problem because we have nowhere to put assaulted women and single moms"—he said, "Where do they go?" His answer was, "Basement apartments"—the Progressive Conservative Party of Ontario does not think basement apartments are a good enough solution for anyone who faces the kinds of life crises of anyone of any gender who is assaulted or is in a single marital status, male or female. We do not support that kind of regressive thinking.

And isn't it ironic to hear the member for Scarborough Centre talk about basement apartments being the solution for seniors to stay in their homes—the very party that has just reduced and eliminated for many thousands of seniors in this province their property tax credit. It's such an irony that you say, "We'll take away their property tax credit," for many thousands of seniors in this province, "but they can rent their apartments." It is such a ludicrous contradiction it's unbelievable.

This is the same socialist government, of course, that reduces benefits to people over 65 in auto insurance. They can't talk out of both sides of their mouths and say they're concerned about the seniors in this province when everything they say and do states the opposite.

For him to suggest that I'm saying small landlords are evil was a personal insult to me. What I'm simply saying is that most of these single-home owners who create an accessory apartment in their home do not have a clue that the rules under the Landlord and Tenant Act also apply to that single apartment. What we're saying is that if it's an absentee landlord, the situation is compounded and is even worse.

As for the member for London South, who seems to be totally oblivious to what his own city council is saying, I would simply say to that member, perhaps it's time he went home. Perhaps it's time all the New Democratic Party members, with their socialist thinking and their socialist ideology, went home. Find out what your municipalities want you to do. Go home and find out what your city councils and your regional governments and your town councils want you to say in this House. Instead of listening to your union friends and your own ideological trash, why don't you decide that you're here to represent the people who elect you, and that's everybody in your constituency in your ridings. It's not your union friends, who almost pay for the opportunity to be represented by you in this House, and the people who are not members of those unions lose their voice. They have lost their voice, because these socialist members do not even listen to the concerns of their area municipalities and the people who live in them. I simply say to all of them, if you'd get out of wherever it is you're burying your heads in the sand, if

you'd get your head above ground and start listening and learning and doing a bit of homework, you'd find out what the issue is with basement apartments.

I say again that if you're satisfied to create basement apartments and accessory apartments as of right, regardless of the millions of dollars that have been spent in planning our communities in terms of land use, if that's what you want and that's your solution to affordable housing, it's not mine, nor is it the solution the members of our caucus support, nor is it the solution that is even affordable for municipalities, which are going to have to pay additional staff to police these additional units.

Talk to the police forces. I know that's something none of you want to do. You have demonstrated your feeling about the police forces in this province. You don't care to listen to anybody. But if you talk to the police forces alone, you would find out that the additional costs of increasing the population is something that's not affordable today in those areas.

The Acting Speaker: This terminates private members' hour.

The division bells rang from 1207 to 1212.

TRADE DEVELOPMENT

The Acting Speaker: The first vote will be on Mr Curling's resolution, ballot item number 23.

All those in favour of Mr Curling's motion will please rise and remain standing until named.

All those opposed to Mr Curling's motion, please rise and remain standing until named.

Mr Randy R. Hope (Chatham-Kent): Did all members vote?

The Acting Speaker: The Clerk here is checking that all members present have voted.

It's my understanding that two members have not voted: Mrs Marland and Mrs Witmer. They must vote. Could they please state their intention.

Mrs Margaret Marland (Mississauga South): I will be voting in favour.

Mrs Elizabeth Witmer (Waterloo North): I will be voting against.

Ayes—16

Arnott, Bradley, Brown, Callahan, Caplan, Carr, Curling, Daigeler, Eddy, Hansen, Marland, McLean, Miclash, Phillips (Scarborough-Agincourt), Poole, Sterling.

Nays—35

Akande, Bisson, Carter, Cooper, Coppen, Cunningham, Drainville, Farnan, Frankford, Haeck, Hope, Huget, Johnson, Klopp, Lessard, MacKinnon, Malkowski, Marchese, Mathysen, Mills, Morrow, O'Connor, Owens, Peruzza, Rizzo, Stockwell, Tilson, Turnbull, Ward (Brantford), Wessinger, White, Wilson (Kingston and The Islands), Winninger, Wiseman, Witmer.

The Acting Speaker: I declare the motion defeated.

ACCESSORY APARTMENTS

Nays-31

The Acting Speaker: We will now be dealing with Mrs Marland's resolution, ballot item 24.

All those in favour of Mrs Marland's motion will please rise and remain standing until named.

All those opposed to Mrs Marland's motion, please rise and remain standing until named.

Ayes-20

Arnott, Bradley, Brown, Callahan, Caplan, Carr, Cunningham, Curling, Daigeler, Eddy, Marland, McLean, Miclash, Phillips (Scarborough-Agincourt), Poole, Sterling, Stockwell, Tilson, Turnbull, Witmer.

Akande, Bisson, Carter, Cooper, Coppen, Drainville, Farnan, Frankford, Haeck, Hansen, Hope, Huget, Johnson, Klopp, Lessard, MacKinnon, Malkowski, Marchese, Mathysen, Mills, Morrow, O'Connor, Owens, Perruzza, Rizzo, Ward (Brantford), Wessenger, White, Wilson (Kingston and The Islands), Winninger, Wiseman.

The Acting Speaker: I declare this motion defeated.

This House will stand adjourned until 1:30 of the clock this afternoon.

The House recessed at 1218.

AFTERNOON SITTING

The House resumed at 1330.

MEMBERS' STATEMENTS

HUNTING AND FISHING CARDS

Mr Allan K. McLean (Simcoe East): My statement is for the Minister of Natural Resources, and it concerns his latest blatant tax grab.

The minister recently announced the introduction of a \$6 magic stripe registration card system for anglers and hunters. The minister claims the new outdoors card will make life easier for fishermen, but he fails to point out that it will also mean a 50% hike in the cost of going fishing next year.

The cost of the \$6 outdoors card will be added to the cost of fees already paid for hunting and fishing licences. Anglers must now pay the \$6 card fee plus the fee for a fishing licence, which is currently set at \$12. Hunters must also pay the \$6 card fee on top of the cost of the hunting licence, which ranges from \$20 to \$30 annually depending on the type of weapon used and the game to be hunted.

The new outdoors card system, which will affect approximately 1.5 million anglers and hunters, is a blatant tax grab. It's a government ripoff. The ministry will save a large amount of money because everything will be on computers, resulting in less paperwork.

Minister, I wouldn't be so upset if the money you are generating with this blatant tax grab was used to assist Ontario's conservation officers in doing their job or for restocking fish in our waterways or for other conservation efforts. After all, that was the original intent for revenues generated by the sale of hunting and fishing licences.

OUR COMMON FUTURE TOO

Ms Jenny Carter (Peterborough): I wish to congratulate the organizers and participants in Our Common Future Too, a local forum on the economic, social, health and environmental challenges facing Peterborough in the world community, held on September 25 and 26.

This conference was a grass-roots endeavour to develop a strong and viable cooperative voice for sustainability and to define our community's role in the wider world. As Thomas Berry said, "The human community and the natural world will go into the future as a single community or we will both perish together."

Key organizers were Frances Adams, Charlene Avon, Ken Doherty, Don Folz, Rudi Massimo, Clara McCue, Bel Pennick, Linda Slavin and Guy Thompson.

Panel speakers on Friday set the tone. Duncan Cameron warned that an unbridled market economy may ultimately be incompatible with democracy and that the ongoing separation of people from the land may be the biggest catastrophe in the history of humankind. Mel Watkins pointed out that under NAFTA, Mexican farmers will be replaced by agribusiness, and that we in Canada need to build on our own domestic market.

The discussions led to agreement that we need more information and consultations at the grass-roots level and

more community input into decision-making. This event was part of an ongoing process involving a broad and ever-widening sector of the community. I look forward to further developments.

DEVELOPMENT IN SUDBURY

Mr Dalton McGuinty (Ottawa South): I rise today to focus attention on the completely inadequate approach taken by this government to an extremely important economic issue in Sudbury. The proposal, involving the construction of a state-of-the-art petrochemical complex, has significant job creation, energy supply and environmental quality implications for the community of Sudbury.

To date, local representatives of the provincial government in Sudbury have shown little interest in the proposal and have dismissed its potential to effect substantial benefit on behalf of the citizens within that community.

This Legislature has traditionally operated on the principles of representative democracy and responsible government. Unfortunately for the residents of Sudbury, there has been a complete abandonment of these historic principles in regard to this most important issue.

The people of Sudbury have been left without a voice in the Legislature to express their strongly held interests in this proposal. Their elected members, all of whom sit on the government side of this House, have met their constituents' outcry for action with a deafening silence.

It's ironic that the party that claimed to be different, that claimed it would govern in the interest of all Ontarians, including northern Ontarians, and not just in the interests of a few, could allow this suppression of opinion and community interest to occur.

HEALTH SERVICES

Mr Jim Wilson (Simcoe West): Yesterday my colleague the member for Waterloo North attended a meeting in Kitchener concerning layoffs and cutbacks at the Waterloo regional health unit.

It is unfortunate that the regional government is taking the heat for proposing these cutbacks when the blame should be aimed at the NDP government. While it's fine to argue that the region can cut in other areas and save the jobs at the health unit, this argument rings hollow when you realize this will mean that some welfare recipients won't get their cheques, day care will be cut and other regional employees will lose their jobs.

The real responsibility for this mess lies with the NDP government. In fact, the three local NDP members didn't even have the guts to show up at the meeting. The members for Kitchener, Cambridge and Kitchener-Wilmot all know who is to blame. They're obviously embarrassed and riddled with guilt to be part of a government that says one thing and does another.

For instance, the Minister of Health has stated that two of her goals are to shift the emphasis to health promotion and disease prevention and foster strong and supportive families and communities. However, the government's words don't jibe with its actions. Public health units are

front-line providers of community-based health care services which emphasize health promotion and disease prevention. Instead of enhancing public health units, the NDP has chosen to restrict its efforts by providing only a 1% transfer increase.

As well, the region of Waterloo questions the commitment of the government to public health units when the NDP continues to mandate programs while conveniently forgetting to send along the cheque to the local area.

It's time the government got its house in order and started to support community-based health care, rather than gutting it.

ENVIRONMENTAL FAIR

Mrs Irene Mathysen (Middlesex): Last weekend I had the opportunity to see the efforts made by business, environmental groups and individuals to achieve a better, cleaner environment. On Saturday, October 3, residents of London and Middlesex experienced the first annual green exchange and environmental fair. The message to all was reduce, reuse, recycle and refill.

Businesses such as the Western Fair Raceway, GM diesel and Bell Canada demonstrated and explained how they had dramatically reduced, and were trying to further reduce the waste generated in their respective workplaces. Others like the Body Shop, Try Recycling, Green Earth, Goodwill Industries and Field Fare, a cooperative food store, displayed environmentally friendly products, reused products and new products developed from recycled materials. Backyard composters and vermi-composters were also featured.

Global Action Plan, LEAP, Greenpeace and Rose were there to explain the ecosystem program for grass-roots action, the management and elimination of PCBs, global warming and community land trusts. There were also tours available to recycling facilities and the landfill site, so people could see first hand the urgent need to reduce, reuse and recycle.

I would also like to mention individual efforts made on behalf of the environment. On Sunday I met Pat Skidmore, a Middlesex resident, who goes out every other day in the neighbourhood to pick up litter carelessly thrown away by others. I think this clearly demonstrates that people in London and Middlesex care about the environment.

BUDGET

Mr Gerry Phillips (Scarborough-Agincourt): I want to tell the House about an important meeting that will take place today of the finance and economic committee at 3:30.

The members will all know that we in the Liberal Party have had some real concerns about the way the government is reporting its finances for this fiscal year. The committee has agreed to have the Provincial Auditor appear before us to help answer some questions we've got.

I'll give you just a couple of examples of our concerns. The government owes the teachers' pension \$500 million due on the 1st of January, 1993. The Treasurer has, quote, "rescheduled" that payment for the 1st of April, 1993, getting it out of this fiscal year into next year. The problem is that we are going to have to pay 11¼% interest on that

money when the Treasurer could borrow that money on the open market at 8%. This is going to be a complete waste of at least \$3 million of taxpayers' money. We're just going to throw it away for the optics of the Treasurer being able to say that his deficit is below \$10 billion. We'll raise that concern.

The second concern we'll have is that the Treasurer has shown that he will get \$1.2 billion from the federal government in fiscal stabilization money. The federal government has said, "They're dreaming; they're not going to get \$1.2 billion this fiscal year."

The point I'm raising is that we have some significant questions about the accounting in this year's budget. We are looking forward very much to the Provincial Auditor coming and helping the committee to insist on getting the real numbers before us.

1340

BREAST CANCER AWARENESS MONTH

Mr Cameron Jackson (Burlington South): I call the attention of the members of the House to the fact that October is Breast Cancer Awareness Month. In this respect, I am pleased to acknowledge the work of Burlington Breast Cancer Support Services Inc, a volunteer-based organization begun by Pat Kelly and located at the Burlington Mall, which counsels and educates women on the disease of breast cancer, the leading cause of death among women in the 35- to 49-year age group.

This group assisted over 500 drop-ins over the summer alone, including women diagnosed with breast cancer, their family members and those simply seeking information. Pat and her team have also produced a booklet on breast cancer which the House of Commons subcommittee on the status of women called the most comprehensive model of information of its kind. The booklet is supplied across Canada to clinics and women's centres and deals with such topics as treatment options for women with breast cancer, as well as other crucially important information.

The centre approached the NDP Health ministry for a funding grant of \$50,000 for its continued maintenance and operation, and although the Minister of Health visited the centre two weeks ago and even complimented its work, she rejected the funding request, leaving the centre to face an imminent shutdown.

When Bob Rae announced a record number of women cabinet ministers in his government, the women of Ontario thought their concerns would be advanced more effectively at the provincial level. Tragically, what we have is a Health minister who went for the publicity but not the program. During Breast Cancer Awareness Month I call on the minister to re-examine her priorities and reverse her decision, even if it would mean fewer bilingual road signs in southern Ontario.

CONSTITUTIONAL REFORM

Ms Margaret H. Harrington (Niagara Falls): In 18 days we will be voting on the Charlottetown accord. Eighteen months ago, the select committee on Confederation flew to Kenora to begin asking the people of Ontario, "What really matters to you about Canada?" We continued

across Ontario in seniors' centres, in legions, town halls and schools to hear the real people of Ontario.

We found that people cared about recognizing the inherent right of native people after years of colonialism and paternalism. People cared about a social charter, stating how important our social programs are to us. People cared about reforming a blatantly out-of-date patronage Senate. People cared about stating clearly that all people have equal rights in Canada. People cared that division of powers between federal and provincial levels of government be flexible enough to make services cost-effective.

Then, 130 representatives of different interest groups came together on October 13, 1991, at the University of Toronto. Our committee was hesitant. Could this experiment work? Could these people ever agree by sitting down and listening to each other? At that amazing weekend people did reach common ground, and these principles were taken to Charlottetown. Yes, the people of Ontario cared deeply and profoundly about Canada. I urge you to vote Yes.

Mr Steven W. Mahoney (Mississauga West): Mr Speaker, through a scheduling mixup we missed our first opening member's statement. I would ask for unanimous consent to allow it to take place now.

The Deputy Speaker (Mr Gilles E. Morin): Do we have unanimous consent? Please go ahead.

SQUARE ONE OLDER ADULT CENTRE

Mr Steven W. Mahoney (Mississauga West): The Square One Older Adult Centre in Mississauga held its official opening last week, on October 2. I was very pleased to be in attendance at this very unique opening of a very unique facility. The story that led to the opening of this facility is one of community cooperation between civic, provincial and federal governments, corporate citizens, service clubs and community volunteers.

Mississauga city council endorsed the recommendation from its recreation and parks department to convert the auditorium in Square One into an older adult centre. This is a room that was not being used on an ongoing basis and now is full of life and activity.

Hammerson Canada, the owners of Square One, lease the auditorium to the centre for a nominal \$1 per year. A steering committee of older adults worked to guide and develop programs and to help fund-raise to equip the auditorium. Today, with the continued assistance of community volunteers, the Square One Older Adult Centre is up and running, offering a variety of programs including craft courses, exercise programs and info seminars to older adults in Mississauga.

I would offer my congratulations to all involved: Deb Bensette of the Mississauga recreation and parks department, Nance MacDonald of Square One management, the Mississauga Central Lions Club, members of the steering committee, Hammerson Canada, and of course Mayor McCallion and her council for this very worthwhile project.

VISITOR

The Deputy Speaker (Mr Gilles E. Morin): Before we proceed to ministers' statements, I would ask the

House to recognize Mr Bud Gregory, the former member for Mississauga East.

STATEMENTS BY THE MINISTRY AND RESPONSES

SEXUAL ABUSE OF PATIENTS ABUS SEXUEL DES PATIENTES

Hon Frances Lankin (Minister of Health): I have today released a Ministry of Health position paper, Taking Action Against Sexual Abuse of Patients, in which we propose several changes to the Regulated Health Professions Act aimed at eliminating sexual abuse of patients by health care professionals. The paper has been written in close consultation with five other ministries. They are the Ontario Women's Directorate, the Attorney General, the Solicitor General, Colleges and Universities, and Treasury and Economics.

I would like to begin by expressing our thanks to the Task Force on Sexual Abuse of Patients, chaired by Marilou McPhedran. The need for reform has arisen as a result of the task force's recent findings. The College of Physicians and Surgeons of Ontario, which commissioned the task force, assumed a vital leadership role in determining the breadth of physician-patient abuse and in seeking solutions to the problem.

We are inviting feedback to our position paper, either in written or in oral presentations, over the next 30 days, from health professional and consumer groups as well as from others, including legal advocacy groups, aboriginal groups and concerned citizens. This advice will be strongly considered when we draft the legislative amendments, which we intend to table in the Legislature later this fall.

Je suis persuadée que nous partageons tous le même objectif. Tous, membres de l'Assemblée législative, professionnels de la santé et membres du public — hommes, femmes, enfants — nous voulons que l'abus sexuel cesse.

Les patientes et les professionnels de la santé doivent savoir que l'abus sexuel des patientes n'est en aucun cas acceptable et ne doit pas être toléré.

I am confident we all have the same goal. We here in the Legislature, health professionals and members of the public—women, children and men—all want to stop sexual abuse. Patients and health professionals need to know that sexual abuse of patients is never acceptable and must not be tolerated. If the trust between a patient and a health professional is abused, the consequences are devastating. People need to know that their right not to be victimized in this way is backed by law.

The scope of the problem is more widespread than I think any of us would have dreamed possible a year ago. It is frightening to have learned from recent reports that there are thousands of patients, primarily women, who have been sexually harassed or abused across Ontario.

An analysis of a recent Canada Health Monitor survey indicates that many women in Ontario have been in situations of sexual impropriety, transgression or violation with a physician at least once in their lives. The Canada Health Monitor reported that at least 8% of the 549 women

surveyed—that's almost one in 10 women over the age of 15—have been sexually harassed or abused by a physician in Ontario during an examination or a consultation. This survey sample indicates that as many as 400,000 women in Ontario may have been victims of harassment or abuse by a physician. Of the women interviewed in Ontario, 3% were violated through sexual activities with a doctor during an examination or consultation. This translates to about 120,000 women over the age of 15.

In addition, the CPSO Task Force on Sexual Abuse of Patients heard women speak of rape and of physicians using their position of trust to have sex with them by representing intercourse as a necessary part of treatment.

The statistics that I have cited represent best estimates. The number of victims could well be much higher. No one can know exactly how many women have been victims. No one can know how many men and children have been victims. People don't readily talk about these things.

1350

I want to be very clear that I believe that most of our health professionals are providing sound, trustworthy and nurturing care. There must, however, be protection against those who are not.

The College of Physicians and Surgeons of Ontario acted in the best interests of the public, as its mandate requires, when it commissioned an independent task force in 1991 to deal with this problem of sexual harassment and abuse of patients by physicians. The CPSO has recently finished its review of the report and formulated new policies and guidelines as a result.

Last fall, we in the Legislature made changes to the Regulated Health Professions Act, including the requirement that the college of every regulated health profession set up a patient relations committee to establish programs to help prevent sexual misconduct by its members, but it is critical that more be done. As I indicated at that time, an interministerial working group would be established to identify what further amendments to the legislation might be necessary after reviewing the CPSO task force report and the college's response to it.

Half of the task force's 60 recommendations were directed at government. In the ministry paper released today we are responding to the task force report and the CPSO response to it and are making our own proposals.

As the content of this document is considered over the next 30 days, it is important to keep in mind the Regulated Health Professions Act, when proclaimed next year, will apply to 24 health professions. Among the ministry proposals for change that would apply to all the regulated health professions, we are proposing:

— That there be three categories of sexual offences as grounds for misconduct and that examples of those offences, as well as the penalties imposed and the rules for reinstatement, be written into law. We propose that the RHPA be amended to provide for a minimum five-year revocation of a person's certificate for acts of sexual violation.

— That any health professional who has reasonable grounds to believe a colleague has committed any of the three categories of sexual offences must report it to the appropriate college.

— That the college disciplinary committees be given the power to grant intervenor status to any complainant whose good character, proper conduct or competence is in question and to groups when they can help the discipline committee. In this way the complainant will have a voice in the proceeding where it is now lacking.

— That there be disclosure by defence counsel of the identity of experts and the substance of their opinions, that the professional will rely on at a disciplinary hearing so that prosecutors can prevent most surprises that could lead to adjournments. This partial disclosure will help the prosecutor in preparation for any accusations towards the victim's actions or character that could come up during the hearing and help reduce a sense of retraumatization for the victim.

— That there be a survivors' compensation fund and that it be financed and regulated by each college, or cooperatively by all the colleges. On this point, we believe that the provision of any financial help for specialized services for, in this case, victims of sexual abuse is an extension of the college's mandate to govern its members. We believe that no financial responsibility for abuse perpetrated by health professionals should be incurred by the people of Ontario.

In closing, I want to say how personally proud I am that the government of Ontario is proposing these far-reaching changes. We're not only proud to be tackling these issues of patient abuse here, but also to be leading the way for further changes elsewhere.

Since the release of the College of Physicians and Surgeons of Ontario task force report, the province of Ontario has followed the CPSO's lead and set up a task force. It is our hope that the changes we make to the Ontario legislation will also prepare the way for further legislative changes in other provinces as well.

These proposed amendments to the RHPA are another important step forward in making this a safe province for people to live. They deserve proper treatment from the professionals and institutions they trust.

The Deputy Speaker (Mr Gilles E. Morin): Responses.

Ms Dianne Poole (Eglinton): I would like to sincerely congratulate the minister on moving ahead with this important and timely response. It is also, I think, fair to offer congratulations to both the McPhedran task force and the College of Physicians and Surgeons for their outstanding leadership and initiatives in this area. We offer them our thanks as well.

It is imperative that we work together to ensure that there is zero tolerance of sexual abuse of patients and I believe we've made an enormous start in doing that.

There were a number of things in particular that I liked about the response by the Ministry of Health: first of all, that all 24 colleges are involved, that this is not something that is only going to be targeted towards the traditional medical professions but all medical professions, including all 24 colleges—I think that's a very positive thing—and secondly, that the levels of sexual offence as grounds for misconduct be incorporated into the Regulated Health

Professions Act with clear definitions at each level of offence. I think that's important.

I was very heartened to see that there will be women members appointed to the discipline committee. I think it's very important that not only justice be done but that justice appear to be done. I think it will give many women great comfort to know that there are women on this committee.

Members of the health professions board are to receive training in understanding sexual abuse, again a very important initiative. I think this will ensure that in future our professionals can help eradicate this problem.

But there are a couple of concerns I would like to share with the minister and hopefully we can work together on them.

One of the recommendations was that there be a compensation fund set up, financed and regulated by each college, and upon the finding of guilt by the college's discipline committee, the funds will be provided to assist in the victim recovery. I think that's a very positive step, but I'm concerned about the colleges that do not have enough money—perhaps some of the smaller colleges—and cannot have the resources to set up these funds. What happens to the victims who have been abused within these college's parameters if there is no money coming forward from the province? I hope we will take a second look at that particular one.

Secondly, under the Regulated Health Professions Act, 120 days are allowed for investigation and decision on a complaint. I share with the minister my concern that responses be very timely. This is a matter of great urgency and I personally believe that 120 days is simply too expanded a time.

Thirdly, there's only been one month allocated after the announcement for submissions to the minister. While we are very heartened by her desire to move forward quickly, at the same time it is equally as important that we do it right and that when we move forward we've made sure there has been proper consultation, in addition to the consultation already taking place, to make sure there aren't loopholes and mistakes made. I hope she will consider extending that particular time line.

All in all, we are very pleased with this initiative. We congratulate the minister, the McPhedran task force and the College of Physicians and Surgeons of Ontario for their leadership and fine work in this area.

Mrs Elinor Caplan (Oriole): I'd like to add to the words of my colleague the member for Eglinton and point out to the minister that in fact it has been just about a full year since the Regulated Health Professions Act was dealt with by the committee of which I was chair at the time.

She has said that we can expect amendments presented in the Legislature after consultation on this particular paper. I hope we'll see that this fall. As she has pointed out, proclamation of the new act was expected this year. She says it's now going to be next year. I know there's a lot of concern about that undue delay, but it's my hope that these amendments will be included in that legislation at the point of proclamation.

I would also remind her that this issue was non-partisan at the committee. All three parties supported the

initiatives that are in this paper today. I was a little surprised that it took a full year before we saw this in this House. I'm happy that it's here now, but I wish it had been here sooner. I'd also like to encourage her to get on with proclamation of the Regulated Health Professions Act, which I believe is in the interests of the people of this province and will enhance the public interest protection they so deserve.

1400

Mr Jim Wilson (Simcoe West): I'm pleased to rise and respond to the Minister of Health's statement outlining her ministry's response to the final report of the Task Force on Sexual Abuse of Patients which was commissioned by the College of Physicians and Surgeons of Ontario.

I'd like to take this opportunity to thank and commend the members of the Task Force on Sexual Abuse of Patients, which was chaired by Marilou McPhedran, the 303 abused patients who came forward before the task force and the College of Physicians and Surgeons which took the initiative to establish this important and independent task force.

Almost one year ago I asked the Minister of Health in this Legislature to give her personal guarantee, especially to those who are survivors of sexual abuse, that her government would enact recommendations requiring legislative change in a timely manner. One year ago, during clause-by-clause deliberations of the regulated health professions acts, I introduced several amendments on behalf of my caucus colleagues designed to help victims of sexual abuse. I was shocked at that time to note that the government and the members of the Liberal Party voted as a bloc against my amendments, many of which are contained in the task force report and in the report released by the government today.

One example of this was the establishment of a survivors' compensation fund. I could not understand one year ago how the minister could possibly justify defeating such an amendment, and I'm pleased to see that the minister now supports such a measure to help patients who have been sexually abused.

Also a year ago, the NDP voted against a PC amendment that called upon the government to endorse zero tolerance of sexual abuse, but I will give to the minister and grant to the members of the government side and the Liberal Party that I think all members weren't aware, certainly as aware as we are today, of the extent and seriousness of the problem that exists, not only among our health care professionals but in other sectors of our society.

My caucus colleague the member for Parry Sound was the first to respond to the recommendations of the CPSO task force. In June 1991 he introduced a private member's bill amending the Health Disciplines Act. He began drafting his bill after the task force released its preliminary report.

While I'm supportive of today's report, as I've already mentioned, I do have some concerns with the minister's response. First, like the task force members, I have concerns with an expanded definition of sexual abuse which includes sexual transgression. I believe it's a

watered-down version of what is recommended by the CPSO report.

Second, while I support mandatory reporting of all sexual abuse by health professionals, I have concerns about the confidentiality of professionals who, of their own accord, seek professional help and treatment. I do not wish to see professionals penalized for seeking help, whether it be with clergy or other professionals.

I would also like to recommend that the ministry take care to bring into this process hospitals and all health care providers, so we can ensure that the drafting of this new legislation, amendments to the Regulated Health Professions Act, is done in a timely but positive and constructive manner.

The report of the CPSO task force, the private member's resolution by Mr Eves, the voluntary actions that have already been taken by the professional colleges, the regulated health professions acts process and today's report, I believe, though, are all very positive steps in dealing with this very dramatic and important issue in our society. Zero tolerance must be the goal, and I know the government is working, along with health care providers, to make that the goal and the policy of this province.

Mr Ernie L. Eves (Parry Sound): Very briefly, I would like to congratulate the minister for following up on this very important issue in the province. It is about a year and a half or a year and three months since my private member's resolution was endorsed, by all members of the House, I believe, if my memory serves me correctly.

The only criticism I have of the announcement today is that, like my colleague Mr Wilson, I think the CPSO task force report and its definition of sexual offences or abuse was somewhat better. I think this is a somewhat watered-down version that has come out as a result of negotiations, no doubt, and discussions the ministry has had with various professions.

I also would like to reiterate a comment I made debating my resolution in 1991: In other professions, for example the legal profession, when you mismanage some person's money and you're found guilty of professional misconduct—

The Deputy Speaker (Mr Gilles E. Morin): Thank you.

Mr Eves: —the ultimate penalty is disbarment for ever, and I don't know why a physician who is found guilty of—

The Deputy Speaker: Thank you, the time has expired. Please take your seat.

VISITOR

The Deputy Speaker (Mr Gilles E. Morin): Before we proceed with oral questions, I would ask you to recognize in the west gallery the former member for Perth and the former Speaker of the House, Mr Hugh Edighoffer.

MINISTERIAL INFORMATION

Mr Gerry Phillips (Scarborough-Agincourt): Mr Speaker, I rise on a point of order. I'm seeking the Chair's direction. It has to do with ministerial statements. You, Speaker, I think will appreciate that in our standing orders

there's a provision under standing order 31(c): "Two copies of each ministerial statement shall be delivered to opposition party leaders, or their representatives, at or before the time the statement is made in the House."

The purpose of that is to ensure that the opposition party has an opportunity to respond to ministerial statements.

Yesterday, the Chairman of Management Board made a statement in the House which had a significant deviation from the prepared statement. I raise this because I'm looking for direction from the Chair on how this should be handled now and in the future.

Just to tell you the change that was made in the prepared statement by the minister—which, I might add, was broadly circulated to certainly all of the offices here in the Legislature and, I think, more broadly—and this is under "What Happens to Bargaining Rights for 7,000 Employees," the prepared text said, "These employees will be given the right to choose who represents them."

The interpretation of that would be that someone will represent them and the only decision they would have is to choose who will represent them. But when the minister delivered his statement, he changed it very substantially. He said, "These employees will be given the right to choose"—I repeat—"these employees will be given the right to choose if they want to bargain collectively or join a union, and if so, who will represent them."

So you can see that the minister's statement is very different from the prepared text. The prepared text says they will be given the right to choose who represents them. In his oral comments, he said if they choose to have a bargaining agent or join a union, they can choose then who will represent them.

The point of raising all of this is that I think it was incumbent on the minister yesterday to indicate to the House that he was making a substantive change in his prepared text. I might also add that when I brought this to his attention, he implied that he hadn't changed the text. Hansard will record that he implied I was wrong. I wasn't wrong, and I raise this before you, Mr Speaker, for the Speaker to indicate to the House, either today or at some time in the future, how we should be dealing with ministerial statements that deviate significantly from the prepared text, what the responsibilities of the ministers are to outline when they are deviating and how that will be communicated broadly to the people who end up having received only the written text and not what he actually said here in the House.

Hon David S. Cooke (Chairman of the Management Board of Cabinet): I did speak to the member at the end of question period yesterday. I disagree entirely with his description that this is a major change. The two or three words I added made it clear that the statement presented to the opposition saying that they would choose their bargaining agent of course also meant whether they would even have a bargaining agent. That's what I was trying to make absolutely clear.

If I offended the member, who has always presented absolute perfection to the House, I apologize to the member. I will never do it again.

The Deputy Speaker (Mr Gilles E. Morin): There are two things I could do. If you accept the apology from the member, we'll leave it as such. If not, I think you've raised a very interesting point. I will reserve judgement, and I will give you an answer on Tuesday.

Mr Phillips: I'm not looking for an apology; I'm looking for the Speaker to indicate to the House, when there are substantive changes made in ministerial statements, what the obligation is—

The Deputy Speaker: Please take your seat. I think I've told you what I would do, and this is the end of the question. Oral questions? Pardon me?

Mrs Elinor Caplan (Oriole): I gave you notice of a point of privilege.

1410

MEMBER'S PRIVILEGE

Mrs Elinor Caplan (Oriole): I rise on a point of privilege today. In this regard, I refer to standing order 21(a), "Privileges are the rights enjoyed by the House collectively and by the members of the House individually conferred by the Legislative Assembly Act and other statutes, or by practice, precedent, usage and custom."

In addition, 21(b) states, "Whenever a matter of privilege arises, it shall be taken into consideration immediately."

Accordingly, Mr Speaker, as a result of the wording of rule 21(b), which requires the matter to be immediately taken into consideration, I have committed this issue to you in writing.

My initial point of privilege is directed to that part of rule 21(a) which reads "by practice, precedent, usage and custom."

As the member for the riding of Oriole and a member of the official opposition, I am also critic for Management Board of Cabinet and therefore responsible for all related legislation, such as the proposed amendment to the Crown Employees Collective Bargaining Act.

Yesterday, the Chairman of Management Board of Cabinet made a statement regarding the Crown Employees Collective Bargaining Act. As has been pointed out in this House previously, yesterday was Yom Kippur, the most solemn day of the Jewish faith. Yesterday, for religious reasons, I was absent from this assembly. The government House leader and Chairman of Management Board knew I would be in synagogue yesterday, yet the Chairman of Management Board deliberately chose yesterday to deliver his statement. For this reason, I was unable to perform my critic's duties, and my privileges as a member of this House have been seriously affected.

Mr Speaker, I believe this is a matter which falls squarely within the parameters set forth in rule 21(a).

On Monday of this week, my colleague the member for Mississauga North rose on a similar point of privilege with regard to the clause-by-clause proceedings of Bill 40 within his critic responsibilities. At that time, my colleague stated, "Today, this is a matter of my privilege, but tomorrow it may be for other members of the Legislature."

Mr Speaker, it was only four days ago that this issue was brought to your attention. I find the irony and the insensitivity of this situation extremely frustrating. My colleague from Mississauga North spoke on a very similar point of privilege on Monday of this week, and here I stand on Thursday. It is quite obvious that the government has not listened to the requests from this side of the House. Yesterday, my privileges were maliciously attacked. While I stand here under the rules of the Legislature to bring this serious matter to your attention for consideration, I submit that my privileges have been eroded individually as set out by rule 21(a).

I ask that you find the actions of this government in this matter to have breached my privileges as a member and critic. The practice and custom of the Legislature of the province of Ontario is to respect the religious observance of its members. As precedents, I cite that the standing committee on administration of justice did not sit yesterday to accommodate Mr Offer, the member for Mississauga North.

It would be my request at this time that you allot me five minutes to comment on the statement that was made by the Chairman of Management Board yesterday regarding the Crown Employees Collective Bargaining Act.

The Deputy Speaker (Mr Gilles E. Morin): For those who were not listening, perhaps I should repeat what the member has requested, "It would be my request at this time that you allot me five minutes to comment on the statement which the Chairman of Management Board made yesterday regarding the Crown Employees Collective Bargaining Act." Is it agreed? Is there unanimous consent?

Interjections: Yes.

The Deputy Speaker: There is unanimous consent. Please go ahead.

Mrs Caplan: Thank you very much, Mr Speaker, and I accept the fact that the unanimous consent is an apology that should not have been necessary in this House.

Hon Floyd Laughren (Deputy Premier, Treasurer and Minister of Economics): Get on with it.

Mrs Caplan: Well, that's exactly what it is.

The Deputy Speaker: Order. You were given the privilege to use five minutes. Please use your five minutes.

COLLECTIVE BARGAINING LEGISLATION

Mrs Caplan: Yesterday, as has been pointed out in this House, the Chairman of Management Board tabled the employer report on the reform of the Crown Employees Collective Bargaining Act. The concerns I have are that the Chairman of Management Board's statement, which he tabled and laid in this House, is substantially different from the statement which was circulated to members.

Over the course of time since I first began in government in 1985, the Crown Employees Collective Bargaining Act has been something that has been discussed as being in need of reform. I can say to the Chairman of Management Board that the paper he has tabled today is substantially different from the approach that would have been taken by any government other than an NDP government. The reason it

is substantially different is because his government does not understand its role as the employer.

The forced unionization—and that is what this report is inferring—will automatically force 2,000 members now in the excluded class to pay union dues to OPSEU, notwithstanding what you have said. The others are very concerned how they are going to even have the opportunity to decide whether or not they wish to have a bargaining agent or which agent they should choose to have that they will then—

Hon David S. Cooke (Chairman of the Management Board of Cabinet): You haven't read the report.

Mrs Caplan: I certainly have read the report. The Chairman of the Management Board is quite incorrect if he suggests that even though I was not in the House yesterday, I haven't had a chance to review this matter. I have.

I can tell him that from the very beginning of the attempts of this government to bring in reforms to the Crown Employees Collective Bargaining Act, the estimates of the number of people who would be affected by this have been between 7,000 and 10,000. The fact that this report acknowledges that potentially 9,000 people will be impacted, I think, suggests that the concerns of your very own employees are valid and that the minister has not listened.

You suggest in this report that you've had 15 months of consultation. I would remind the minister that his own employees were only consulted in July of this year. There is all kinds of evidence to suggest that there have been secret meetings between the former Chairman of the Management Board on numerous occasions over a period of a year before that, and in this fiscal year, July 1992 was the first time your own employees were notified of your attempts to make these changes—in July of this year. It is now October.

This report is being tabled, and people are feeling very concerned that the government has not listened to them. They're very concerned as to what your process is going to be, because this is going to have a serious impact on them. You are not behaving as a good employer, and you are also not behaving in the public interest. The crown employees, the public servants in Ontario, deserve to have an employer who understands their role and will not force either the paying of union dues on them or the fact that they will not have the kinds of rights you would wish the private sector employers would allow them.

I would say to the Chairman of the Management Board that it is in the public interest for you to remember that not only are you the government; you are the employer. You are not—and I stress—the head of the union. You are not part of the union. You have an obligation to behave as the employer and treat your employees fairly. Secret meetings behind doors is not the way to go. You must treat your employees fairly and equitably. The tabling of this report at this time—

Interjections.

Mrs Caplan: I don't know why you're laughing. This is very serious. There are 9,000 employees out there who are very concerned about it.

I would suggest to you, Chairman of the Management Board, that we're looking forward to seeing what your amendments are going to be when you actually table them, because this draft suggests that the people in the public service of Ontario have a right to be concerned, and the province has a right to be concerned as to whose interests you're representing.

The Deputy Speaker: Thank you. The member for Etobicoke West.

Mr Chris Stockwell (Etobicoke West): I assume, then, that we're now in rotation, Mr Speaker?

The Deputy Speaker: Please take your seat. Please take your seat. If there is unanimous consent, the Chair has no—is there unanimous consent? No unanimous consent.

The member for Scarborough North, on a point of privilege.

Mr Alvin Curling (Scarborough North): While I'm on my feet, I want to congratulate the Minister of Correctional Services. This morning there was a scheduled meeting between the Minister of Correctional Services and a Dr Humphrey about the increased cases of HIV in correctional institutions. He also has—under privilege, Mr Speaker—another scheduled meeting on Tuesday. I wonder if the minister will be reporting to the House about the outcome, especially with the Bell Cairn—

The Deputy Speaker: Oral questions.

1420

ORAL QUESTIONS

NUCLEAR POWER FACILITY

Mr Murray J. Elston (Bruce): I must confess, while I rise to pose a question to the Minister of Energy, I do so with a great deal of concern and fear for the people of Bruce county and for those who work at the Bruce nuclear power station.

The Minister of Energy and the Premier and their appointed chair, who is just about ready to take leave for British Columbia, have been reported in the Ottawa Citizen of today's date, on the front page of section D, to be closing down the Bruce nuclear plant and in fact making the case publicly about a meeting to be held today between members of the board with respect to technical criteria and the environmental committee of the board in order that they make recommendations to the board meeting of October 19, about which I spoke yesterday.

The potential for losing between 300 and 700 jobs, roughly, at the Bruce nuclear generating station has caused great concern, a tremendous amount of dislocation today, as we move towards the Thanksgiving holiday season, and it has in fact destabilized the economy of my particular area.

I wish to ask the Minister of Energy if he can confirm that he and his chairman are orchestrating with the Premier the shutdown of Bruce A nuclear power generating station.

Hon Brian A. Charlton (Minister of Energy): First of all, I haven't seen the article from the Ottawa Citizen which the member's referring to, but it is unfortunate that the member hasn't been paying attention for the last couple of weeks.

There was a document tabled by Ontario Hydro at the Environmental Assessment Board hearing about two weeks ago that indicated that Ontario Hydro was reviewing a list of about 10 or 12 capital projects for the purpose of deferral, because rate increases this year and next year have been rather large and we're looking seriously at ways to try to reduce the impact of rate increases in the province of Ontario over the next several years. There's a range of deferrals, including stories last week about the chair of Hydro talking to Manitoba Hydro about deferral of the purchase from Manitoba. There are deferrals being considered. This minister is not and has not been involved, and neither has the Premier, in any discussions of closing Bruce A.

Mr Elston: The development and putting in place of Bill 118, of course, was designed to give the Premier and the Minister of Energy direct control over what in fact takes place at Hydro.

While I am concerned that this type of material was provided to the people of the Ottawa area through its paper, the *Citizen*, a paper I regularly review, it isn't always delivered door to door in Kincardine or Port Elgin, where the effects of this decision and this orchestration of yours will have terrible economic consequences for the women and men who've been providing quite high-level service to the Ontario Hydro ratepayers over the long term.

I have information that says that, contrary to the reports which you have somehow been able to leak to the environment writer in the *Citizen*, there's a recommendation by Hydro that the nuclear stations be retained. But I ask, who is putting that case to the special meeting arranged by your chairman, Mr Eliesen, before he takes his vacation, when in fact Mr Holt has been fired and you have arranged to ensure that the top vice-presidents at Ontario Hydro have also been given their walking papers, or at least your intention has been well known to give them their walking papers?

Hon Mr Charlton: It's interesting that the House leader for the official opposition, the sneaky fellow that he is, has managed to get his sticky little hands on the document that was tabled at the EAB hearing by Mr Eliesen. It's a public document. What's the problem here? This is what Hydro put out publicly.

Mr Elston: I don't care if he thinks I'm sneaky; I don't care if he thinks I'm anything. What I care about more than anything else is that the women and men of the Bruce nuclear power station are treated fairly for the length of service they have provided for this province, for the high level of efficiency they have generated through Bruce. I am concerned that when the official report is publicly tabled by the Hydro people, we'll be ignored because you have terminated the positions of all those people who would know something about this stuff.

I will defend the people of Bruce county. I don't care what he thinks of me. I want to know who is going to be treating those people fairly in this orchestrated and this sort of terrible, malicious attack on the very productive units at Bruce nuclear station when the technical reports of

that area have shown that there is efficiency in their rehabilitation.

The Deputy Speaker (Mr Gilles E. Morin): The question has been asked.

Mr Elston: I want the Minister of Energy to stand up today and say that he will protect the efficiency and that he will ensure the real technical story is given to those board meetings.

The Deputy Speaker: The question has been asked.

Hon Mr Charlton: The member has gotten himself rather exercised.

Interjections.

The Deputy Speaker: Order.

Hon Mr Charlton: He has talked about protecting the people who work at Bruce. There are also people who work at a number of other Hydro facilities around this province, who are also on that review list. All of those people and their families are part of the considerations that Hydro will make as it reviews its capital expenditure deferrals.

The member in question has said here in the House that somehow a decision has been made to close Bruce A. To the best of my knowledge, no such decision has been made. The review is a review to defer capital expenditures, to try over the course of the next several years—and as far as I know, the Hydro board has not yet made the decision about which of the projects will be deferred and which will proceed on schedule.

FOOD BANKS

Mrs Elinor Caplan (Oriole): My question is to the Minister of Community and Social Services. In 1990 Premier Bob Rae said that the use of food banks "is something we can tackle as a government and can improve on over the first term." That was October 1990 after he formed the government.

By October 1991 the use of food banks increased by more than 50% in the greater Toronto area. As the Daily Bread Food Bank begins its Thanksgiving food drive, it tells us that the use of food banks in the province of Ontario and here in Metropolitan Toronto has increased by 85% since you took office in 1990.

My question to the minister is, do you still intend to keep that promise?

Hon Marion Boyd (Minister of Community and Social Services): I have risen in this House a number of times to say that indeed we do believe that the institutions of food banks are not the way in which we should be attempting to deal with poverty. We as a government have made improvements in the social assistance system to try to increase the adequacy of those allowances, but we all know in Ontario what a toll the recession has taken, that we have higher numbers on social assistance than ever before. We have people subsisting on UIC levels for shorter periods of time as a result of federal action. We have an economy that is certainly causing us a lot of difficulty.

We certainly intend to continue to work on the issue of those who are hungry, of poverty on many fronts, particularly the reform of social assistance, and certainly it is our hope that we will be able to make real inroads into the need

for food banks by the end of this term. But when the Premier made those remarks, none of us expected the depth or the length of the recession that we have suffered, and that has certainly cut into our ability to improve the adequacy of benefits.

1430

Mrs Caplan: That is such a sad commentary on the actions, and the inaction, that have been taken by your government.

In 1991 the NDP government said it would solve the food bank problem by putting people back to work. In 1992 your Premier said that stimulating the economy was the solution. Yet every day in this province we hear of more job losses, more people on social assistance and more people using food banks because you, Minister, and your government are incapable of solving the problem. After two years, you have done absolutely nothing.

I ask you, on behalf of the hungry people in this province, when will it be the right time for you to take some action and help the hungry people of this province?

Hon Mrs Boyd: My colleagues and I feel just as passionately as our eloquent colleague across the floor about the tragedy of hunger and poverty in this province. But we are clear, and have stated in this House many times, that Ontario is only part of a worldwide recession and that we have specific problems around restructuring our economy in Ontario because of the lack of ongoing restructuring that has happened over the last 25 years. We are suffering tremendously in this province as a result of the free trade deal and will continue to suffer as NAFTA grinds on with the federal government's action.

Frankly, this kind of situation is one that is very difficult for the government to cope with. We share the concerns of the member opposite and we have indeed done much. It is sheer nonsense for her to say we have done nothing. We put millions of dollars into the anti-recession action last year, we have put \$1.1 billion into the Jobs Ontario Training fund and we are continuing our work to try and help our industries to restructure and to attract industry to this country.

Mrs Caplan: That's a shameful answer coming from the Minister of Community and Social Services. Ontario is faring worse. We are doing worse under your government and under your leadership than anyone else in North America during this worldwide recession, because of your leadership. We are doing worse because of your inaction and people are suffering because you are making it worse. Your policies are causing people to lose their jobs and fear for the future.

The Deputy Speaker (Mr Gilles E. Morin): Question.

Mrs Caplan: Since 1990, the use of food banks in the greater Toronto area has increased by 85%. The Daily Bread Food Bank has set a target for this Thanksgiving food drive of two million pounds of food. We have even heard that food banks are being established for the very first time on the university campuses in this province and that 80 to 90 students per month are in need of that kind of assistance. That's a shameful NDP legacy in this province. I say to the minister, how much more will the use of food

banks have to increase before you and your government take some action to help hungry people in this province?

Hon Mrs Boyd: If we want to talk about legacy, we better talk about the legacy of governments past. Food banks didn't start under this government; they started under the previous two governments, and in times of prosperity. The Liberal government had lots of money to spend and it did not close the food banks.

Interjections.

The Deputy Speaker: Order. Minister, there was so much noise that I didn't hear if you had finished your response. Would you wish to add on? You were finished.

VEHICLE LICENCE REFUNDS

Mr David Turnbull (York Mills): My question is to the Minister of Transportation. Minister, last year your ministry refunded \$13.6 million to Ontario residents who returned their vehicle licence plates to the licensing offices. In most cases these were small refunds, in some cases \$1.50 or \$2. The administrative cost for issuing and mailing one single refund was \$35. Last year your ministry spent \$10 million to process these refund cheques. This is absolutely incredible incompetence, because last year you refunded only \$13 million. What an absolute waste of \$10 million. Minister, can you justify an administrative cost of \$35 for each and every cheque you send out?

Hon Gilles Pouliot (Minister of Transportation): Mr Speaker, before I deal with the question, you will allow me to convey our sincere condolences to a friend, the member opposite, who is our critic, on the passing away of his brother. Welcome back, David.

To the question itself, we're not aware but we're reviewing the process and you're quite right: There's no hiding from the fact that if it doesn't make economic sense, it is least defensible.

You're also very much aware and cognizant that at Transportation we have 9,700 employees and we have the responsibility of monitoring and enforcing, in accordance with the statutes, 6.3 million licensees. We conduct on the order of 70 million transactions in each and every fiscal year.

The member is correct: We have to be more vigilant because there are some difficulties in explaining why a program costing so many dollars is not reconciled with the revenues that the program should entail. What we do is reconcile the ability to look at the program in its ensemble and this is where you find the correct arithmetic and mathematics.

I invite the member opposite to share in the knowledge that the people of the ministry make available on a daily basis so that when he asks a question he will be meticulous and will be able to focus not only on one element, but on the overall picture at Transportation.

Mr Turnbull: First of all, I thank the minister for his sympathy, but I have to tell you, my brother who died was a good Conservative and he would have been just as disgusted as I am.

I really would like us to have a recording of the Skaters' Waltz available to play every time this minister gets up to utter all this drivel that has nothing to do with

the question. My question was, why does it take \$10 million to give back \$13 million?

Your Treasurer is desperately looking for new ways to tax the people of Ontario, taxes that people and business simply cannot afford. Instead of brainstorming on new ways to tax the people of Ontario, why don't you do just a bit of thinking of better ways to reduce this ridiculously high administrative cost?

Minister, during the Transportation estimates, you stated, "We will control our spending." Do you remember that? You said, "We will control our spending." Here's an opportunity to trim \$10 million and all you have to do is give the rebates as cash across the counter in the offices that are collecting money when you buy a licence. Fairly simple; I think even your party can understand the logic of that.

Mrs Dianne Cunningham (London North): Oh, I am not sure.

Mr Turnbull: No, I guess that was unfair: I'm giving you too much credit.

You have an opportunity to save tax money, to get administrative costs under control. Other than saying your words about controlling, have you done anything about controlling costs?

Hon Mr Pouliot: I owe the member an apology for the answer that I gave to the original question. I should have known. Who else but the critic of the third party would remind us of a policy that was put in place years ago by the Progressive Conservative Party of Ontario? This is not like the GST. In this case, we put more into the system in terms of service than what we take in. With the GST, it's the very opposite. It's a very lucrative endeavour. They pick the pockets of everyone, and both pockets.

Because nothing is etched or cast in stone, we are consistently reviewing programs and making them more equitable. This is yet another program where we're acting on it. It's not a matter of breaking even, it's a matter of providing the essential service.

Interjections.

The Deputy Speaker: Order. I would ask the members, when a minister or any one of you is recognized to address the House, that you respect that individual as you would like to be respected yourself, please. Supplementary.

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Mr Turnbull: I don't know about being cast in stone. I think you should all be cast in concrete for that answer.

A related matter: Truckers pay for their licence plates at the time of purchase. If they take their licence plates back, it takes four to six weeks to get a rebate for their prorated plates. Minister, in some cases it's taking two months or even more to get that back. You're very well aware that this money belongs to the truckers, Minister; it doesn't belong to the government. You know also that the truckers have a great cash-flow problem at the moment. The trucking industry is in desperate straits.

Your government has lost control of the economy. We across here clearly understand that and the vast majority of the voters in this province know you've lost control over the economy. You're incapable of dealing with the big problems.

The Deputy Speaker: Question?

Mr Turnbull: This is a small problem, Minister. Are you going to address this small problem and make sure the truckers get their rebates within 20 days?

Hon Mr Pouliot: Obviously, by his own admission, it's a small problem but important, no less, to the people who have to deal with the rebate. The well must be running pretty dry when you get a leader's question on a housekeeping matter. It used to take eight to 10 weeks; it now takes four to six weeks to get the rebate. It's better than ever before but not yet fast enough. We'll try to make it better yet.

EDUCATION POLICY

Mrs Dianne Cunningham (London North): My question is to the Minister of Education. Mr Minister, over the summer the schools received an education policy program memorandum 115. One of the statements in that program said, "No credit shall be assigned to the program offered in grade 9."

Mr Minister, the students, the parents, the teachers, even your regional officers are having difficulty explaining the intent of this memorandum and the curriculum that ought to go with it. They're very confused and concerned. Just this week at a public meeting I had a parent ask me if this will be a pass-fail system. If you don't have any credit, will the student pass, or will the student fail? If so, is that the kind of system we're going to have in our secondary schools, like our elementary schools? Does it really mean, if a student fails the course, he will fail his whole year? I explained that surely that wasn't the intention of the ministry, because our intention is to keep young people in school.

So I'm giving you an opportunity, Mr Minister. If indeed there are no credits for grade 9 programs—and you call them programs; you don't call them courses or subjects, just programs; it's very vague; I can't understand it—would you then tell us how many credits these young people will need to graduate with their Ontario secondary school diploma and would you explain the pass-fail system?

Hon Tony Silipo (Minister of Education): The changes the critic for the third party is referring to of course relate to the destreaming of grade 9 and would take effect in September 1993. It doesn't take effect until that time.

We felt, in responding to requests from school boards, that it was important to put in that memorandum, at the time we sent it out last June, the notion that with the destreamed grade 9 there would not be the need for the continuation of the credit system to apply to the grade 9 courses. There is still certainly the need for students to pass the courses and there would then obviously be a recalculation in the interim period of the credits students would have to achieve to get their secondary school diploma, taking into account the eight credits that would be achieved normally in a grade 9 year.

That really is a simple answer in terms of the question of how the recalculation is being made. I'm surprised by the comment that was made that our regional offices don't have answers to these questions, because there's been a lot

of discussion with them and they certainly ought to be able to answer these kinds of inquiries from school boards.

The Speaker: Supplementary?

Mrs Cunningham: I had a really great supplementary question, but I'm not going to ask it. I'm going to ask the first one all over again, because I didn't get an answer to my question.

Number one, how many credits will these students now need, since they don't have a credit in grade 9, to get their OSSD diploma? That's the answer the parents are asking of all of us. How many credits will they need to graduate, given this new system?

Second, we also know now that the grade 10 program will be changed. Obviously it's been decided by the minister in that destreaming will take effect in grade 10 by September 1994, so you get a chance to answer that question. In that year, how many credits will the students need in order to get their OSSD diploma?

Hon Mr Silipo: I thought I said in answer to the first question that what would be done in the calculation of the credits is to take into account the eight credits a student normally is expected to achieve in any one year, so if we're not counting the credits in grade 9 towards the completion of a secondary school diploma, then it would be eight fewer credits than under the present system. I thought that was a pretty straightforward answer that I gave.

Mrs Cunningham: What is it?

Hon Mr Silipo: Eight fewer than present.

Mrs Cunningham: Well, what's present, in your book?

The Deputy Speaker: Order. The question has been asked.

Hon Mr Silipo: With respect to grade 10, I want to remind the member opposite that there has been no decision made with respect to that issue, and that is part of the discussion that's going on now, both inside the ministry and with school boards.

The Deputy Speaker: Final supplementary?

Mrs Cunningham: It's very clear why our regional offices and our principals and our teachers can't answer the question, because the minister can't answer the question. I'm not trying to be disrespectful; I'm looking for answers.

I should say at this point in time that all of us in this House represent families and students and parents, and they want to know what curriculum is accompanying this grade 9 program, and now a grade 10 program that has been affirmed as being destreamed a year from now.

My question is this: There are comprehensive guidelines, I'm expecting, that are being developed, and the school systems want to know now the big picture. They want to know, in those guidelines, where OTAB courses fit in, where the new SWAP program that the minister talked about fits in, where the ESL program fits in and where apprenticeship programs and OTAB fit in. All of these are pieces we don't understand. It's not good enough to tell the students that they're going to be destreamed now in grade 10. We want the big picture. When will you be releasing

the guidelines, as you should already have done, for the students and the teachers and the parents so they'll know what's happening within the next month?

Hon Mr Silipo: I'm not sure what guidelines the member opposite is specifically referring to. I have indicated, in the House and outside of the House, that we are pulling together what we believe to be major statements on directions for the school system, that those will be available later in the fall, and that we will try to set very clearly within that both the expectations that we should have for the school system and ongoing ways in which our teachers can be supported in delivering that.

There may be, certainly inadvertently, an attempt here to try to confuse an issue that I think is not as complicated as it needs to be. Again, I've said on more than one occasion that we are working away at these issues, we are continuing to talk with school boards and other people in the system on these issues, so none of these things are coming as a surprise and we will be able to make some more detailed responses in the not too distant future.

Mrs Cunningham: On a point of privilege, Mr Speaker: I've just been told that I am attempting to confuse the issue. I feel the issue is so confused that I, as a critic, cannot answer the questions, and I object—

The Deputy Speaker: This is not a point of privilege.

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UNEMPLOYMENT

Mr Gerry Phillips (Scarborough-Agincourt): My question is to the Treasurer regarding the whole issue of jobs, which for the people in my constituency and certainly for our party is perhaps the number one issue.

The Treasurer will know that tomorrow the unemployment numbers will come out. Most economists predict they will improve; each September they do improve over August, so we are expecting an improvement tomorrow. But we are in this province devastated by the unemployment rates. We have seen 600 full-time jobs lost to the economy every single working day in the province in the last two years; every single working day, 600 full-time jobs. The unemployment rate has literally doubled in the province and it is the issue of number one concern to our party.

In your budget, Treasurer, you predicted that we would see 125,000 net extra jobs this fiscal year. The people of the province are counting on that; they assume that will be the case. My question is this: Do you continue to stand by the 125,000 jobs and, for tomorrow, what sort of drop in the unemployment rate will we see in order for you to hit your targets?

Hon Floyd Laughren (Treasurer and Minister of Economics): I can't tell the member opposite what the unemployment rate is going to be tomorrow or the next day; he appreciates that. In terms of the projection in the budget that there would be 125,000 jobs created this year, there's no question in my mind that we will not achieve those numbers. I think that's clear to everyone. When I went back and looked at the projections by our own folks in Treasury and by other independent forecasting agencies, I found a striking similarity: because of the economy

recovering more slowly than anybody anticipated even six months ago, those numbers of jobs will not be achieved in this year. I don't think there's any doubt about that.

Mr Phillips: That's sad news for the people of Ontario, particularly as we approach Thanksgiving Day. I'm very sorry to hear those numbers.

The issue that I think many people feel will have the most impact on jobs is Bill 40. I know there's a difference of opinion on that. Some people in the business community are circulating material that says 295,000 jobs lost as a result of that; many people in the business community feel there is going to be a substantial job loss. People in the union movement say that's crazy, that there will be no job loss.

The point, Treasurer, is that I think you and your staff are the only people who have an opportunity to try and quantify this, to referee this. I will say that Treasury staff do job estimate impacts on all sorts of things. If there's a new tax measure brought in, they estimate the job impact. They estimate the job impact on new equipment investment. They estimate the job impact in terms of capital. The Treasury people can do job estimates on virtually anything. Right in the Treasurer's staff he has quality people who can step in and do the analysis.

We now know what the final bill will look like. We now know we can do the research on it. There is a strong feeling out there, I think universally in the business community; I can't find one business person who doesn't believe it's going to have a strong negative impact. The union movement feels the opposite. I would say to the Treasurer that he has an obligation to ask his Treasury officials to take that bill and provide the House, the Legislature and, more importantly, the people of Ontario with an analysis of what will be the impact.

My question is this, Treasurer: Will you undertake today to ask your officials to take that bill and give us their best estimate of what kind of impact it will have on employment here in the province of Ontario?

Hon Mr Laughren: The thought that you could quantify the impact of changes in the Labour Relations Act just doesn't make sense, any more than when he was the Minister of Labour in the previous government he was able to quantify the job impact on Bill 162 that changed certain aspects of life in Ontario. I don't believe he would have pretended at that point that you could do it, and I don't think you can quantify it now with these changes to the Labour Relations Act. I don't believe it's going to cost jobs, and I might say as well that before you start painting Ontario as being the recipient of labour legislation—

Mr Chris Stockwell (Etobicoke West): Here we go. Bash the feds.

Hon Mr Laughren: No, I'm not bashing the feds. Other jurisdictions in North America and elsewhere—in Europe, in Japan—are having serious problems in this recession. Those places are not all bringing in labour reform, yet they're still having problems. Neighbouring jurisdictions in the United States are having serious economic problems as well. To try to paint our economic problems

as being caused by changes to the Labour Relations Act just doesn't hold water, doesn't make any sense.

I don't believe you can quantify through speculation the kinds of changes, because I can tell the member opposite that a very large number of large companies in this province, many of which are part of a coalition against the labour reform, are the very companies that have made very substantial investments in the province and continue to do so, because even though they may not like the labour reform changes, they still believe this is the best place in the world to invest and to work.

LABOUR LEGISLATION

Mrs Elizabeth Witmer (Waterloo North): My question is for the Minister of Labour. Minister, as you know, many groups and individuals have accused you of failing to consult with them regarding Bill 40. During the past year I have repeatedly raised this issue and you have consistently said that you believe you have consulted with those affected by this legislation. Perhaps you have consulted, but you certainly did not listen.

Today I would like to raise another example of your failure to consult with the people affected by your unionization schemes. However, this time it is not the business community; it is the union membership. Ever since you introduced Bill 80, I have received numerous phone calls, letters and visits from construction unions that will be affected by this legislation, legislation which affects the disaffiliation provisions, benefit plan trustees, trusteeships and, most importantly, union democracy in the construction industry. These unions are shocked that you have brought forward this legislation without consulting them.

The Deputy Speaker (Mr Gilles E. Morin): Question.

Mrs Witmer: They are amazed that a minister who talks about representing workers has not taken the time to meet with them to discuss this issue before introducing the legislation. Minister, will you tell us what specific problems or cases have come to your attention to prompt you to bring in Bill 80?

Hon Bob Mackenzie (Minister of Labour): I think the member for Waterloo North should understand that the issue of union democracy—if that's what she wants to call it—within the construction trades is one that's been around for a long, long time. In the course of my 15 years in opposition as Labour critic in this House, I've had delegation after delegation come in to me asking for consideration for some changes in the role or authority they have within their own local unions.

I can also tell the honourable member that there has been extensive consultation, which is ongoing right now, with the AFL-CIO, with the internationals, with the local unions. I have met with many of them, almost all of them, on this issue, and we have been trying to work out a mutually agreeable arrangement on it. She is wrong when she says there is no concern or no understanding of the differences or the concerns of some of the workers in the construction field.

Mrs Witmer: Mr Minister, I have a pile of letters here from different unions indicating that there has been no

consultation, that you have ignored their views and are proceeding with this bill. I want you to know that people are concerned that you haven't consulted with them, and I'd like to review with you the list of people who are concerned. We have the Boilermakers, we have the Carpenters, we have the Painters. I'd like you to tell us again what specific cases, since you didn't answer the first time.

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These people would like to know why you are introducing this bill when there is no demonstrated need for this legislation, and they would like to know, the Electricians, the Boilermakers, the Sheet Metal Workers, the Bricklayers, the Iron Workers unions: Why are you in such a hurry to proceed with it before you have consulted and listened to these people?

Hon Mr Mackenzie: It's unfortunate the kind of almost hatred we see for some union leaders in this province from some members of this House.

Let me make it clear to the member. Her own statement obviously makes it clear that we don't always say or do what the unions ask us to do, and I can tell her that I can bring in a sheaf of petitions just as large as the one she indicated on the other side of it. This is an issue that does cause some concern and divides the local unions, but when she says that there is absolutely no reason for this, I ask her: Why was it that at the Toronto-Central Ontario Building and Construction Trades Council, just last week, four sections of the bill were overwhelmingly approved and one was narrowly voted down when it debated Bill 80 in some detail at its meeting?

FILING OF CORPORATE INFORMATION

Mr Ron Hansen (Lincoln): My question is to the Minister of Consumer and Commercial Relations. Madam Minister, I recently attended a meeting of the Grimsby and District Chamber of Commerce, where it was brought to my attention that many businesses are concerned about a \$50 fee for incorporated companies. Recently, incorporated businesses received a letter from the companies branch of your ministry requesting corporate information and a \$50 fee. In this economic environment, this seems excessive to businesses that are trying to stay afloat. Can the minister explain why this fee is required?

Hon Marilyn Churley (Minister of Consumer and Commercial Relations): I'd like to start by saying that every other jurisdiction—that includes the provinces, territories and the federal government—all require annual filing of corporate information with a fee, and prior to 1976 all corporations in the province of Ontario were required to do the same, but that was dropped. What happened as a result was that after 1976 the mandatory requirement was lifted and many corporations became very lax in their filing.

I want to point out that this database is used 350,000 times a year by both businesses and individuals, so it's an important information database, and at the end of the day it has to be kept up to date for the benefit of the people, the businesses and the individuals. It's completely out of date, it is a mess because people have become lax, and we simply have to get it back in order again.

I must say that the fee also is comparable to all the fees charged for this across the country. It is about the same. We're merely keeping up with what the rest of the country is doing.

Mr Hansen: In a letter sent to me also from the chambers, according to the notices received, there is a short period of just 30 days allotted to complete this filing and presumably some penalty will be imposed. Since many firms in these difficult times are spending all their time keeping their businesses afloat so they can continue their role as job providers to Ontario workers, a 30-day time frame is hardly realistic.

Madam Minister, another thing too is that some of these businesses had already filed a few weeks earlier and have to file again. And another thing is, why was this new fee introduced without any warning to business, which has to pay for it?

Hon Ms Churley: I'm sure the member and many members here would like to know the answer to this. In fact, people were given prior notice well in advance, on May 8. As far back as May 8, the ministry announced that all incorporated businesses operating in Ontario would be required to provide this updated and current information on their businesses. We started mailing out special notices and information packages to those businesses back in mid-July. So people did get lots of notice. Notices, advertisements, newspaper columns and follow-up news releases have been utilized to inform all of the groups.

I want to reiterate that this is a \$50 fee. I understand that at this time any fee is problematic, but we have to clean up this database. At the end of the day it is going to benefit the businesses, because they are mostly the ones that need the information from this filing system, which is really in quite a mess right now because other governments let it drop.

KIDNEY DIALYSIS

Mr James J. Bradley (St Catharines): I have a question for the Minister of Health. The minister will know that on numerous occasions I have raised in this House in speeches, statements and questions the appalling circumstances facing kidney dialysis patients at the Hotel Dieu Hospital in St Catharines, where all people in the Niagara region who have to be dialysed must go.

Conditions have deteriorated from uncomfortable and highly inconvenient to potentially life threatening now because the staff, who are extremely dedicated, work with antiquated equipment in very crowded conditions.

Will the minister assure the House that she will give immediate approval to a new kidney dialysis unit at the Hotel Dieu Hospital out of those funds which have been specifically allocated for purposes of this kind by the Chair of the Management Board of Cabinet?

Hon Frances Lankin (Minister of Health): I thank the member for the question and indicate that many of the members in the St Catharines and Niagara region have been raising this issue with me. In fact, I think the member identifies some very serious concerns of overcrowding and outdated equipment. Over the last week we had equipment

failure there which made the situation even worse, both for the patients and for the staff.

The hospital has submitted a proposal and it was approved through the functional plan and by the district health council. There is an overall study going on within the area, but we are working with the hospital with respect to the proposal that it has in. We know they're operating at very high levels of activity right now and the functional plan they have proposed has had a couple of problems with it. Those discussions have been going on and we think there are some essential modifications that will need to be done in the very near future. I hope to have a positive response for them on that very soon.

Mr Bradley: The minister will know that this situation has in fact deteriorated, that it's always been difficult in these circumstances. We recognize that, but the situation is getting worse almost by the day.

Patients are writing to me and to the other members from the Niagara Peninsula. We have had a tour of the unit and there isn't a member from the Niagara Peninsula who wouldn't agree that conditions can only be described as appalling.

That's why I ask the minister, in view of the obvious needs—and I won't get into the details of them because I know the minister is aware of them—will the minister give an assurance today that we won't simply have further studies because, in fairness, we've had a lot of studies of this, but that in fact she will give immediate approval, the green light, to move forward with a renewed unit or preferably a new unit so that the over 100 patients who rely on kidney dialysis and who reside in the Niagara region will be able to use this new facility at the earliest opportunity?

Hon Ms Lankin: I think the member would be well aware that the proposal for a completely new dialysis facility within the hospital is actually part of a redevelopment proposal for a number of parts of the hospital, so it's not a separate issue the hospital has put forward. The overall answer on that awaits the conclusion of the capital review process, and the DHC and all the regional hospitals are involved in that.

I hope there will be an answer on that larger picture very early in 1993, but with respect to some of the essential modifications that need to be made to stop the conditions from continuing to deteriorate—and I understand the point he's making—and ensure that we can meet some of the most essential modifications, I hope that in the very near future we will have a response in terms of what absolutely needs to be done and we will be able to respond with respect to what capital share the ministry will put forward for that.

1510

HEALTH INSURANCE

Mr Jim Wilson (Simcoe West): My question is also to the Minister of Health. Minister, yesterday the Ontario Medical Association released the news that a tentative agreement had been reached which included the extension of user fees in our health care system.

Minister, your party calls these charges copayments, the Liberals called them extra billing, but no matter how

you dress them up, they're all out-of-pocket charges for medical services; they are user fees. Can you tell us what other user fees you intend to bring into our health care system, and when?

Hon Frances Lankin (Minister of Health): I'm very glad the member asked me this question. I can tell you that I was most concerned when I read the headlines in some of the media that characterized elements of this agreement as introduction of user fees. Nothing could be further from the truth. I understand that in ratification of the settlement the OMA may be putting forward its view of the whole and total package, but with respect to the issue of the \$20 million that will be removed from the OHIP base for third-party billings, I want to point out to the member that the current Health Insurance Act, in regulation 53, says, "The following are deemed not to be insured services," and section 8 says, "A service that is required by a statute or regulation or for a person other than the patient."

Currently, we have very good examples where that is managed well. It wasn't in the past, but over the last number of years the previous government and our government have worked to try to better manage examples such as workers' compensation. Where a doctor performs a medical service and it is for a patient who is a recipient of workers' compensation benefits and the cause of the illness or the problem the treatment is being given for is related to a workplace accident, that is not billed to OHIP; that is billed to the Workers' Compensation Board now. OHIP used to pick up a large amount of that inappropriately.

Similarly, there are other third-party requests that are not covered under health insurance that some doctors bill directly to OHIP incorrectly. We're going to work with doctors to clear that up. I believe that this is effective management.

I know that the OMA has been characterizing this as the thin edge of the wedge with respect to user fees or deinsuring services. Let me assure this House, nothing could be further from the truth. I will not entertain moves in that direction.

Mr Jim Wilson: The minister knows full well that user fees already exist in the health care system. Yesterday's list of charges for insurance and school medicals, back-to-work notes, accident and disability claims only adds to the slate of user fees already in place.

The unemployed truck driver who must pay \$50 out of pocket for a doctor to do an examination and to fill out the forms simply so he or she can renew his annual licence considers that \$50 to be a user fee.

One of your first acts of coming into office was to increase the user fee for ambulance services in this province. Whether they were medical emergency cases or non-emergency transfers, people are being sent bills today from the ambulance service for taking those ambulance rides, as it were. We've also got user fees in your own long-term care documents, and they exist in the chronic care sector.

The NDP endorses user fees. Will you commit today to a full public discussion of where user fees should be appropriately placed in the system instead of continuing to

run around the province denying that these exist? Get off your sanctimonious horse, acknowledge that user fees are in the system now, that your government has increased user fees and we should have a full public discussion of where they should be appropriately placed, because people are being charged fees now and they simply can't afford to pay them.

Hon Ms Lankin: I really enjoy the way the member always gets some sort of energy and excitement in his voice when he comes to the end of his second question. It's quite predictable. I don't know whether I provoke him or what happens, but it's quite a pattern between the two of us.

Let me say first of all, I want to correct the member that this is an introduction of a new fee. I want to use his example of an application for a licence. Let's say someone is going out to get their commercial pilot's licence and is required to have a medical certificate. Does the member suggest that this is something that is insured under the Health Insurance Act of Ontario or is something that is covered by medicare and universality and access provisions under the Canada Health Act? I assure the member it never has been covered, and in many cases where it has been charged to the taxpayers of Ontario, it has been incorrectly charged and inappropriately paid. We are trying to better manage that part of the system.

To be fair, the member used the example of an unemployed trucker. He now brings forward a situation where someone may not have money available to pay for something. Surely that is a different issue than someone not having money to pay for accessibility to necessary medical treatment. You are talking about an application, something that is required by an employer or by another statute, not by the health care system.

Very quickly, Mr Speaker—I understand and appreciate your patience—the other issue the member raises is with respect to other parts of health services and social services and whether or not people have user fees, copayments, shared payments. They have existed for a number of years in many provinces in drug benefit programs. You referred to long-term care. In nursing homes, people already pay for part of their accommodation costs. Those things have always existed. They are not part of what is covered under medicare or under insured services, which are physicians' services and hospitals.

NATIVE EDUCATION

Mrs Ellen MacKinnon (Lambton): My question today is directed to the Minister of Education. Before my election as MPP for Lambton county, I was a trustee of the Lambton County Board of Education and worked diligently to further the cause of education for our native students. Happily, the community-based demonstration pilot projects, which were funded for the first time during the 1991-92 school year, set a good example of partnerships between school boards and aboriginal organizations. Can the minister tell me how many of these projects have reported on their first year and what are some of the initiatives these partnership projects have developed?

Hon Tony Silipo (Minister of Education): I can tell the member there were 13 demonstration projects that

were funded last year involving school boards throughout the province and all of these have certainly reported in. The pilot projects clearly demonstrate the kind of collaborative work that needs to be done between native organizations and school boards to try to share information that goes to the heart of helping school systems understand the learning needs of native students.

One example that I know the member for Lambton would be particularly interested in was the project between the Lambton County Board of Education and the first nations of Kettle Point and Stony Point. That project consists of in-service training sessions to identify the special learning styles of native students and has resulted in a document that is going to be distributed to all teachers dealing with that information.

Mrs MacKinnon: I'd like to thank the minister for that direct answer. Can you tell me, Mr Minister, if it is the intention of your ministry to continue this program, and if so, do you intend to expand it to other groups, please?

Hon Mr Silipo: We certainly do intend to continue the program. We have a call for proposals out now that we expect will involve some school boards that have projects now continuing and some new school boards also being involved. We have set October 30 as the time line for responses, following which a joint committee involving representatives from the various groups will advise us on their recommendations for projects to be funded for this coming year.

ONTARIO HYDRO SPENDING

Mr Dalton McGuinty (Ottawa South): My question is for the Minister of Energy. Mr Minister, you did not know yesterday but you now know that there is indeed a little bit of construction going on over on the top floor of the Ontario Hydro building. You've now learned that at least \$500,000 is being spent on renovations to accommodate your five new directors. You now know that this expense was okayed or approved by your chairman, Marc Eliesen. You now know that your deputy minister knew this construction was going on.

Mr Minister, if anybody can rightfully claim ownership of this scandal, it's you. As the minister charged with responsibility for Ontario Hydro, that \$500,000 stops with you. How can you spend \$500,000-plus to renovate executive offices when your Minister of Community and Social Services told us she is doing everything she reasonably can to help those people who are lined up at food banks in this province?

Hon Brian A. Charlton (Minister of Energy): I haven't yet received the report from the chair. Having said that, some of the issues the member has raised today I think should be addressed.

Mr Chris Stockwell (Etobicoke West): Faxed over in five minutes.

The Deputy Speaker: Order.

Hon Mr Charlton: The member has suggested that the minister should be trying to operate and make the operational day-to-day decisions at Ontario Hydro. That issue has been raised here in the House a number of times in the

past and I repeat what I've said before: This minister does not intend to attempt to (a) be familiar with every single day-to-day operational decision that Hydro makes and (b) start interfering in that corporate decision-making process.

In relation to the specific expenditure, I made a commitment to the member yesterday to get the details from the chair of Ontario Hydro and to provide them to the member, and I will do that.

1520

MOTIONS

ORDER OF BUSINESS

Hon David S. Cooke (Government House Leader): I move that notwithstanding any standing order of the House, the House will meet at 10 am on Thursday, October 15, 1992, to consider government business.

The Deputy Speaker (Mr Gilles E. Morin): Is it the pleasure of the House that the motion carry? Carried.

PETITIONS

RETAIL STORE HOURS

Mr Noble Villeneuve (S-D-G & East Grenville): I have a petition here signed by 28 people and I have affixed my signature to it. It reads as follows:

"To the Legislative Assembly of the province of Ontario:

"We, the undersigned, hereby register our opposition in the strongest of terms to Bill 38, which will eliminate Sunday from the definition of 'legal holiday' in the Retail Business Holidays Act.

"I believe in the need of keeping Sunday as a holiday for family time, quality of life and religious freedom. The elimination of such a day will be detrimental to the fabric of society in Ontario and cause increased hardship on many families. The amendment included in Bill 38, dated June 3, 1992, to delete all Sundays except Easter (51 per year) from the definition of 'legal holiday' and reclassify them as working days should be defeated."

As I said, it's signed by 28 members, and also Rev John McDonald, Newington, Ontario.

GAMBLING

Mr Dennis Drainville (Victoria-Haliburton): I have a petition.

"To the Legislative Assembly of Ontario:

"Whereas the New Democratic Party government has traditionally had a commitment to family life and quality of life for all the citizens of Ontario; and

"Whereas families are made more emotionally and economically vulnerable by the operation of various gaming and gambling ventures; and

"Whereas the New Democratic Party government has had a historical concern for the poor in society, who are particularly at risk each time the practice of gambling is expanded; and

"Whereas the New Democratic Party has in the past vociferously opposed the raising of moneys for the state through gambling; and

"Whereas the citizens of Ontario have not been consulted regarding the introduction of legalized gambling casinos despite the fact that such a decision is a significant change of government policy and was never part of the mandate given to the government by the people of Ontario,

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government immediately cease all moves to establish gambling casinos by regulation and that appropriate legislation be introduced into the assembly, along with a process which includes significant opportunities for public consultation and full public hearings as a means of allowing the citizens of Ontario to express themselves on this new and questionable initiative."

I sign my name to this petition.

RETAIL STORE HOURS

Mr James J. Bradley (St Catharines): I have a petition from the people of Fairview Mennonite Church in St Catharines. It reads as follows:

"I, the undersigned, hereby register my opposition to wide-open Sunday business.

"I believe in the need of keeping Sunday as a holiday for family time, quality of life and religious freedom. The elimination of such a day will be detrimental to the fabric of society in Ontario and cause increased hardship on retailers, retail employees and their families. The proposed amendment of the Retail Business Holidays Act of Bill 38, dated June 3, 1992, to delete all Sundays except Easter from the definition of 'legal holiday' and reclassify them as working days should be defeated."

I affix my signature to this petition, with which I agree, and I intend to comply with the suggestion that members of this House oppose that legislation when the government has the intestinal fortitude to bring it forward.

PROPERTY ASSESSMENT

Mr David Turnbull (York Mills): I have a petition signed by residents of York Mills:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"That the province of Ontario not pass enabling legislation which would allow the Metropolitan council of Toronto to implement market value assessment as presently proposed due to the adverse effect that this would have on the commercial base of Metropolitan Toronto; and

"That the province of Ontario instead recommend a more equitable system of reassessing properties," such as unit value assessment, "which would encourage not discourage investment in the greater metropolitan area."

This is signed by 14 people from my riding and I attach my signature.

MUNICIPAL BOUNDARIES

Mrs Irene Mathysen (Middlesex): I have a petition signed by 81 residents of Middlesex county residents, including people from Mount Brydges, Strathroy, Lambeth and Denfield. These Middlesex citizens petition the Legislature of Ontario to "set aside the report of

the arbitrator, Mr John Brant, as it relates to the greater London area because it does not reflect the expressed wish of the majority of these constituents in the county of Middlesex. It requires too extensive an area of land for annexation and it will seriously jeopardize the viability of the county of Middlesex and our rural way of life."S

I have signed my name to this petition.

GAMBLING

Mr Ted Arnott (Wellington): Mr Speaker, I know you will enjoy this petition.

"To the Legislative Assembly of Ontario:

"Whereas the NDP government is considering legalizing casinos and video lottery terminals in the province of Ontario; and

"Whereas there is great public concern about the negative impact that will result from the abovementioned implementations;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government stop looking to casinos and video lottery terminals as a 'quick-fix' solution to its fiscal problems, and concentrate instead on eliminating wasteful government spending."

I have signed this petition as well.

RETAIL STORE HOURS

Mr Larry O'Connor (Durham-York): I have a petition here:

"I, the undersigned, hereby register my opposition to wide-open Sunday business.

"I believe in the need to keep Sunday as a holiday for family time, quality of life and religious freedom. The elimination of such a day would be detrimental to the fabric of the society in Ontario and would cause increased hardship on retailers, retail employees and their families. The proposed amendments to the Business Holidays Act, Bill 38, dated June 3, 1992, to delete all holidays except for Easter (51 per year) from the definition of 'legal holiday' and reclassify them as working days should be defeated."

It's been signed by people from Beaverton, Sutton West and Georgina as well, so I affix my name to this.

STANDING ORDERS REFORM

Ms Dianne Poole (Eglinton): Mr Speaker, I indeed have a petition to read:

"To the Legislative Assembly of Ontario:

"Whereas Premier Rae of the province of Ontario has forced upon the Ontario Legislature a change in the rules governing the procedures to be followed in the House; and

"Whereas Premier Rae has removed from members of the opposition the ability to properly debate and discuss legislation and policy in the Legislature by limiting the length of time a member may speak to only 30 minutes; and

"Whereas Premier Rae, who once defended the democratic rights of the opposition and utilized the former rules to full advantage in his former capacity as leader of the official opposition, has now empowered his ministers to

determine unilaterally the amount of time to be allocated to debate bills they initiate; and

"Whereas Premier Rae has reduced the number of days that the Legislative Assembly will be in session, thereby ensuring fewer question periods and less access for the news media to provincial cabinet ministers; and

"Whereas Premier Rae has diminished the role of the neutral elected Speaker by removing from that person the power to determine the question of whether a debate has been sufficient on any matter before the House; and

"Whereas Premier Rae has concentrated power in the Office of the Premier and severely diminished the role of elected members of the Legislative Assembly, who are accountable to the people who elect them,

"We, the undersigned, call upon Premier Rae to withdraw the rule changes imposed upon the Legislature by his majority government and restore the rules of procedures in effect previous to June 22, 1992."

I have a signed this petition and heartily concur with it.

1530

RETAIL STORE HOURS

Mr Gary Wilson (Kingston and The Islands): I have a petition here to the members of the provincial Parliament.

"I, the undersigned, hereby register my opposition to wide-open Sunday business.

"I believe in the need to keeping Sunday as a holiday for family time, quality of life and religious freedom. The elimination of such a day will be detrimental to the fabric of society in Ontario and cause increased hardship on retailers, retail employees and their families. The proposed amendment of the Retail Business Holiday Act of Bill 38, dated June 3, 1992, to delete all Sundays except Easter (51 per year) from the definition of 'legal holiday' and reclassify them as working days should be defeated."

ORDERS OF THE DAY

INSURANCE STATUTE

LAW AMENDMENT ACT, 1992

LOI DE 1992 MODIFIANT LES LOIS

CONCERNANT LES ASSURANCES

Resuming the adjourned debate on the motion for second reading of Bill 164, An Act to amend the Insurance Act and certain other Acts in respect of Automobile Insurance and other Insurance matters / Loi modifiant la Loi sur les assurances et certaines autres lois en ce qui concerne l'assurance-automobile et d'autres questions d'assurance.

The Acting Speaker (Mr Dennis Drainville): When last the House rose on this issue, I believe the honourable member for Mississauga South had the floor. She is not here at this point, so we will go, in the natural rotation, to the government side. I recognize the honourable member for Cochrane South.

Mr Gilles Bisson (Cochrane South): It's with a great deal of pleasure that I have an opportunity to participate in this debate today. Much has been said about the whole question of auto insurance and the Ontario motorist protection

plan, a lot of harsh words, a lot of, I would say, rhetoric on the part of some of the people in the opposition, especially considering that it is a plan that was initially developed by the Liberal government in the past, a departure from the way insurance was delivered in this province before. Because what we're really doing is adding benefits to the existing plan, for them to stand in this House today and to criticize the plan I find a little hard to understand and a bit ludicrous.

Anyway, I'm just going to take a few minutes. I want to go through some of the changes that have been made within the plan itself in regard to the changes we're proposing to the House today and how things will develop further on.

First of all, one of the big, big changes within the plan is that under the old OMPP introduced under the Liberal government, if you had disability benefits they weren't indexed. One of the things we're saying is that we're going to index those benefits so that the money you receive today moves along with the cost of inflation over the years to come. Let's say, for example, an individual gets injured tomorrow, ends up on disability insurance and receives \$550 a week. To freeze that \$550 a week in time and 10 years later pay the same \$550, we all know that's not going to be worth a heck of a lot. We need to make sure we index those benefits so that the money the individual receives rises with the cost of inflation so the person doesn't have to undergo any undue hardships.

There are four major categories we've made some changes to, and I want to touch on a couple of them really quickly. One of the things is the question of the temporarily unemployed. Under the old OMPP, the temporarily unemployed received somewhere in the neighbourhood of \$185 a week. Basically, they stayed under that system and those numbers until such time as they went back to work; if they remained permanently disabled, they still received \$185 a week as a maximum, because they were considered to be unemployed.

Unfortunately, there are people out there who, because of things that happen in our economy, such as a recession, are on layoff and are not expected to be unemployed for the rest of their days. They worked at Stelco or Dome Mines or wherever it might be, and because of the recession find themselves without employment. We've said one of the things we're going to do is recognize the fact that these people are not unemployed because they want to be; they're unemployed because of circumstance and, given the choice, would return to work. Therefore, we need to redress that underneath the OMPP.

Initially, when the person becomes injured, he would receive the disability benefits under a temporary nature, but after a period of time we would treat him the same way as anybody else who was to become injured; in other words, we treat him as an employed person. They would then receive 90% of their pre-disability income at the time of injury.

For example, let's say an individual worked at Dome Mines in Timmins and was driving down the street and got injured; the person was temporarily on layoff and ends up being injured. That person, let's say, received some

\$40,000 per year prior to being injured. What we're saying is at a given point time we would give the person 90% of that \$40,000 per year and, on top of that, we would index those benefits as well. That's a recognition of the circumstances, to alleviate some of the hardships of the individual who was injured.

The other thing we did was around the question of care givers. One thing the Liberal plan did was to say that if you are—I use this term so people understand the term I'm using—a person who stays at home and takes care of children, either the male or the female partner, if you decide you want to stay at home and take care of your children, under the Liberal plan, if mom or dad drove down the street and became injured, if they are the care giver and don't have an income coming in because they're at home taking care of the kids, they'd get \$50 for each child within the family unit; \$185 per week in disability insurance from the insurance company, but a maximum of \$200 when it comes to the question of the children.

The reality is that the person who chooses to stay at home to take care of the family has a full-time job, and that person is incapacitated in the sense that he or she can't fulfil some of the requirements of taking care of the family unit. We've recognized that and said we're going to change the program such that we're going to give \$250 per week for the first child of the family unit; each child after that will be an additional \$50 a week towards that care giver. Theoretically, if I have five children in my family, I would initially receive \$250 for the first child, \$50 a week for each child after and, on top of that, we would give \$185 a week to the care giver herself or himself.

But we're giving you an option: If the person who is the care giver has worked within the past three years, we are going to allow you to claim as anybody else who had been injured, and we will consider your pre-disability income.

Let's say I had a child in the month of January last year, and I decide I want to stay home and raise that child because my spouse makes more than I do. I go home and do that. If all of a sudden I become injured, we're saying you can consider your pre-disability income as part of your settlement in regard to insurance.

So the person has a choice: You choose the one that is greater. You made, say, \$50,000 a year and would get 90% of that, or, if you were not working, you would get the care giver's supplement, which is a total of \$250 for the first child, \$50 for each child after and \$185 a week.

The other thing we've done concerns students. The student provision put forward under the Liberal OMPP has also been changed. This is quite a contentious issue, so I want to get my notes out so I get the figures right; I have all kinds of papers in front of me. Don't tell me I don't have this. That's the problem: You come out to do these things and put all kinds of papers on your desk and you say, "Where did I put it?" I'll go on to the next one and I'll remember when I come back.

On the question of what happens to death benefits and funeral benefits, we've said we're also going to increase those. There was a ceiling on the funeral benefit of \$3,000 under the Liberal plan; we will move that up to a \$6,000

ceiling. On the question of the death benefit, we will move from \$25,000 for a spouse or \$10,000 for a surviving dependent to \$50,000 to \$200,000 for a spouse or for other dependents.

What I'm getting at is that I've sat here and listened to this debate for the last three or four days, and there were a couple of members of the opposition that got up and I thought tried to make arguments that make some sense about how far we should have gone as a government and how many benefits we should have given and what we should have done in order to increase the benefits to the accident victim. That's fair game.

But the problem I have is, how can a party that was the government previously and introduced the plan get up and criticize its own plan that it put in in the first place? In effect, that's what they were doing. I find that a little hard to follow, in that sense.

1540

One of the things that was raised, especially by the Conservative Party and by some members of our own caucus, was the whole question of what happens around the question of the right to sue. It's important that we address that in this debate. There are clearly some instances, and nobody would argue, where the right to sue might be a good thing, but there are also clearly a lot of examples where, with the right to sue, the person actually ends up with less than he would get under this plan.

I want to give you two concrete examples, two people I know within my community; I'm not going to get into names. One individual was injured around the age of 18 or 19 in a motorcycle accident. The person was injured and incapacitated for some five years, three of those years basically learning how to live again, because the injuries this individual received were quite serious. Due to those injuries, today he is incapable of earning an income because his injuries are incapacitating to the point that he can't function within the workplace. Sure, he can walk around, he can talk to people, he can do odds and sods, he can do different things, but to sit at a job and concentrate on what that individual has to do over a period of time gets difficult for him because of the type of injuries he received.

Under the tort system, this person went to court and hired a battery of lawyers. It's interesting that a lot of the people who are upset by this are lawyers; I don't mean to dump on lawyers, but let's put this in perspective. He went to court, and it took some two to three years to be settled. During the two or three years he went to court, he didn't get any money, but lived on social assistance while learning how to live again at special schools he had to go to in Toronto; yes, it was paid through our health care system. In the end, he got a settlement. It sounds like a lot of money—I'm not going to get into the dollars—but the long and short of this story is that of the money he got, over 50% went to the legal community.

Mr David Tilson (Dufferin-Peel): Are you speaking against your threshold test? Is that what you are speaking against?

Mr Bisson: I have my opportunity to debate, and I want to just make this point: Over 50% of the settlement

went to the legal community. I don't begrudge the legal community. They have a living to make, they have costs to maintain, they have offices to run, and that's fair. It's not a question of them being exorbitant. But the point is that the settlement he got—and this is the story he told me: "I stood in court and the judge said, 'This is what I'm talking about awarding.' When the lawyer explained it to me, I didn't quite understand what he was getting at. It sounded like a lot of money, and I did a bit of quick math and figured X amount of dollars divided into an account at such an amount of interest will give me so many dollars per month. When it comes to being able to live, it's a little low, but I can probably handle it."

He didn't realize, because of his injuries unfortunately, that the money he was actually going to get was going to be substantially less than the court settlement. Consequently, the person ended up with an amount of money that, for anybody in this chamber and most people watching us at home, if you took the money and put it on the table and said, "Live only on that," could last maybe two years if you were good at what you were doing. He didn't get a heck of a lot of money.

So here's a person who is basically incapacitated for the rest of his days when it comes to permanent employment and is now at a point where this money doesn't mean anything. What do you do with people like that? What ends up happening is that the system we have in Ontario, either social assistance, welfare or disability plans within private companies, has to pick up the tab in these cases. Is that fair to the taxpayer? Is it fair to the taxpayer of the province of Ontario because somebody was driving down a road one night and got involved in a motor vehicle accident and became incapacitated and the court settlement wasn't high enough—maybe he didn't have the right lawyer or maybe the facts weren't exactly what they should have been—and the person ended up getting a settlement that was not enough to carry him through to the point of sustaining himself and his family?

That is only one case. There is one other case I want to go through very quickly, a situation where another individual I know was, as a young child, run over by a drunk driver and today is a paraplegic, sits in a wheelchair and doesn't know what's going on about her. The long and short of this story is that the settlement she got, after a very long time in court, is not enough to maintain her needs until she reaches age 65, when she'll be able to collect a pension.

Mr Tilson: Are you trying to tell us your plan is going to help that person? No way.

Mr Bisson: The point I'm getting at and the point that I think needs to be made is that, yes, under the tort system, in some cases somebody comes out a winner, but we cannot close our eyes to the fact that many people under the tort system end up not getting enough to sustain their particular needs. One of the things this plan does is make sure that those people who are in a situation where, not of their choice, they become injured are taken care of over a period of time, not just for two years, not for five years, but for the term of their disability, up to age 65, if necessary.

Mr Tilson: Why not beyond 65?

The Acting Speaker: Order.

Mr Bisson: There are people who will argue, the same as there are people within my party who will argue, that tort is something that is somehow sacrosanct and something that we somehow as New Democrats had as a virtue in regard to the question of the right to sue. No. I've been a New Democrat all my life, and I've always advocated for going towards a driver-owned system.

Mr Tilson: The New Democrat philosophy is dead.

The Acting Speaker: Order.

Mr Bisson: But never in my position do I turn around and say that system had to be a system of tort. I believe that probably the best system is a bit of a mix between both, and one of the things we've done in this plan is address that. We said, "We're going to allow you to sue under certain situations," and that's what we have done.

I say in summation in this debate that there are a number of improvements that have been made in this plan. There are substantial improvements to what the plan initially was when it was set up by the Liberal government. The question of indexing our disability benefits, of care givers, people who are on temporary layoff, students and a number of other things were increased so that those people and the benefits they receive are able to get enough money to be able to make ends meet and enough money to rehabilitate themselves, if possible.

Is it a perfect system? No. There is no such thing as a perfect system. A perfect system would give you an unlimited amount of money. But that's not what this debate is about. This debate is about putting together a program that gives people the basic necessities and rights they're entitled to in our society and being able to make sure that they can go through.

For the opposition to sit there, especially from the Liberal Party, and to take the position it has on criticizing this particular bill is highly, highly ludicrous in my mind, because it is a system that it introduced. What we are doing is adding to the benefits that were already there. We're moving forward. Yes, in a perfect system we would like to do more. But unfortunately, in the economy we find ourselves in today and the situation we find ourselves in, we have to do the best we can, and we think we've made a very good step forward in making sure that the accident victims are protected under this plan. With that, I end my part in the debate.

The Acting Speaker: Questions and/or comments?

Ms Dianne Poole (Eglinton): I would like to comment on the speech by the member for Cochrane South. He expresses amazement that the Liberal Party is criticizing this bill, but quite frankly, he doesn't express the same amazement that so many members of his own caucus are criticizing this very same bill.

He makes an allegation, which he considers to be a statement, that this bill is going to improve the plan, bring more benefits. It's what he doesn't say that people should be looking to.

For instance, he talks about the right to sue for pain and suffering and psychological injuries being restored. He

doesn't really go into the \$15,000 deductible and what that is going to mean in the ordinary case, a case where somebody takes that to court, the judge awards \$30,000, right off the top \$15,000 is taken away as the deductible, \$15,000 is left, \$3,000 in disbursements, \$12,000 to the lawyer, and what is that victim left with?

The tradeoff has been that that person isn't going to have the right to sue for loss of potential income. Instead, that same victim will have lost this most crucial of rights. They will be subjected to a meat chart. A meat chart that, no matter what your occupation or what your potential income may be, you are all the same. The great leveller: We're all the same.

In the real world that's not how it works. How can you compare my hands to the hands of a Glenn Gould or a Liona Boyd? You can't. Their future loss of income would be enormous. How can you compare my ability to a Tom Henke or to a Wayne Gretzky? You can't. Their potential loss of income is enormous. Yet people who have worked very hard and who have talent in their particular area, a young medical student, for instance, will not be reimbursed in future. That is an enormous loss. Their proposal gives us less, not more.

The Acting Speaker: Further questions and/or comments? The honourable member for Dufferin-Peel.

1550

Mr Tilson: The last speaker, the member for Cochrane South, I think if we took his speech and compared it to all the speeches that were made by the New Democratic Party when it was debating Bill 68 we would see the most blatant example of doublespeak this province has ever seen. It's unbelievable how you can come today in this House and say something to which you and other members of your party only a very short period of time ago said the exact opposite. How can you do that? How can you believe that the people of this province will accept anything that you're going to do in the future?

There's no question that Ontario—before what this government is doing today or in this bill—is already the most heavily regulated province as far as auto insurance where the system remains private. Too much regulation, and that's what this government is going to be doing, where the entire system is going to be through regulation, inhibits change, because there's no question it's going to be more and more difficult to change it; now in the hands of the bureaucrats, we won't be able to debate these things in the House any more. All of these topics are taken away from us.

Not only that, it's increasing costs. It's increasing costs to the consumer and it's increasing costs to the industry. I really question, with what you're putting forward, how you believe the industry is going to be able to pay for this plan that you're putting forward. Last year alone—and this isn't even your system; this is under the Liberal system—it cost \$23.8 million to regulate the Ontario Insurance Commission. You're piling on more and more regulation. No one will be able to understand what you're doing. Yes, you're getting rid of the lawyers, but you're going to have to hire another advocates' army to assist people because no

one will be able to understand your regulations. Read your regulations and I defy you to understand what those regulations say.

The Acting Speaker: Further questions and/or comments?

Mr Mike Farnan (Cambridge): It is unfortunate when members of the opposition, from both the official opposition and the third party, simply use these moments as an opportunity of a broadside attack on the government, rather than listening very carefully to the speech that was made. If one were to focus on the comments that were made by the member for Cochrane South, then one would see that it was a very carefully crafted speech presented in a logical and dignified fashion, something for which I commend the member, basically his approach of bringing to this House a constructive and insightful approach to the issues before us. He clearly, in my view, presented what he thought were the positive aspects of this legislation.

I would have been happy if someone in the opposition stood up and said, "I disagree with you on that particular point for these reasons," but that's not what we heard. What we heard and what we have continued to hear from the moment this was introduced was partisan broadsides from the official opposition and from the third party. I commend the member for Cochrane South for bringing to this debate and raising it to a higher level than we've had for several days from opposition members.

The Acting Speaker: Further comments and/or questions? The honourable member for Scarborough Centre.

Mr Stephen Owens (Scarborough Centre): Thank you, Mr Speaker. I was beginning to think I was Casper the Ghost today.

I want to associate myself with the remarks of the member for Cochrane South. I think that he's outlined quite clearly some of the improvements that our legislation makes over the previous government's bill. In terms of the issues like supplementary medical and rehabilitation, under the old system there was a lifetime cap of \$500,000. We don't all rehabilitate ourselves and we don't all recover at the same rate; \$500,000 could be used up quite quickly, and the person could still be in need of lengthy rehabilitation but without any access to resources.

Under the attendant care program that the former government put in, it also put in a lifetime cap of \$500,000—we again, no lifetime cap. Attendant care isn't something you need one week and don't require the next week and then try to get it back the week after that.

Just in terms of some of the comments with respect to the right to sue for pain and suffering, I think this is a great step forward in terms of compensating innocent accident victims. Under the old system, permanent and serious injury and/or death would have to be incurred and very few people actually passed through the threshold of permanent and serious disability. Perhaps many people died, but as I stated in my remarks last time, there are not too many places where you see a U-Haul behind a hearse.

In terms of the comments with respect to economic loss, it's such an unfair system. Some people do extremely well, but then other people are left out in the cold. So with

the system we've put in, even with the \$15,000 deductible, people are going to get rehabilitation benefits. They don't have to wait until the 649 draw is made.

The Acting Speaker: The honourable member for Cochrane South has two minutes for response.

Mr Bisson: In the two minutes I have, I just want to go through things.

One comment was made—I forget if it was by a Liberal or Conservative member—in regard to the point that all people are going to be treated the same under this system. Well, first of all, what's wrong with giving people the same shot at an opportunity? I really miss your logic.

Let me bring that one step forward. Under the tort system, were people treated the same? No, people were not treated the same. People were treated according to their ability to hire a battery of lawyers. If I'm an injured individual and I can afford to buy the best lawyers in the province, I get better treatment than somebody who is not able to hire the best battery of lawyers because of his economic situation.

It's not to criticize the tort; the tort had some benefits to it. But let's be clear: The tort had its faults. It had its problems. The problem was that if you couldn't afford to go out and hire the best lawyer in the system in order to be able to go out and rectify your problems through the courts, you didn't get fair representation.

All kinds of people ended up losing all kinds of basic possibilities for settlement and are still suffering the consequences. Who pays for that? It's not the insurance companies that pay; it's you and I the taxpayer, because those people end up on social assistance, they end up on welfare or they end up on their employer's sick and accident benefit program, in some cases in situations we shouldn't talk about. But it ends up being the taxpayer who ends up paying for it. What this plan does is that it says the insurance companies will pay. The whole idea is to make the system a little bit fairer.

In regard to the question that we are the most regulated province when it comes to insurance and all other regulation, who the heck created the regulations? It wasn't this government. The regulations we're living with within this province were established with 40 years of Tory government and five years after that with Liberals. They're the ones who put it in place; let's be clear about that. Our government is dealing with making sure that we remove regulations when regulations are unnecessary, in order to make access not only to insurance but to government and other systems a lot fairer for people, and we're dealing with it. But the regulations were put in by them.

The Acting Speaker: Further debate?

Mr Robert V. Callahan (Brampton South): I think it's time to bring this debate back to the reason why insurance was ever brought back to this House from its usual and I guess time immemorial way of being dealt with: It was the question that people were tired of the cost of insurance. Insurance was made compulsory. If you wanted to drive you had to have insurance.

There was one time when you could pay a Motor Vehicle Accident Claims Act fee under the Conservative

regime. Albeit it allowed people who were not able to afford the insurance premiums or perhaps were denied insurance the opportunity to take advantage of that, I think my colleagues over there who have practised in the legal profession will tell you that the whole system, although it was, I suppose, done with an air of compassion for those who couldn't afford insurance, turned into a total morass. It was difficult to enforce. It was difficult to give justice and fairness to people.

Our bill had no-fault provisions and this bill has no-fault provisions. I have some problem with no-fault provisions, because what it tells me is that it rewards the person—

Hon David S. Cooke (Minister of Municipal Affairs, Chairman of the Management Board of Cabinet and Government House Leader): I never heard you say this when you were in office.

The Acting Speaker: Order.

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Mr Callahan: It does something that perhaps is too prevalent in our society. It says discipline is not important. In the words of Dr Spock, "Do your own thing," and responsibility is not important.

This bill goes even a little further than that, because if I read the bill correctly, it says that an insurance company will have to go through a hearing process if it's going to deny somebody insurance. That could be a process that could be carried on ad infinitum. If someone wishes to keep his or her licence, all he does is go to the hearing, have the hearing decision, then appeal to a court, and then he appeals it all the way up to the Supreme Court of Canada and keep his licence in the meantime.

I think that for people out there watching—those people who drive carefully, are responsible individuals, are people who expect that other people will do the same thing—in the main their major concern is the cost, but they don't want to take the question of responsibility out of the whole bill. They don't want to believe that someone's going to drive by them at an excessive rate of speed and perhaps force them off the road, perhaps injure them, and perhaps that person will injure himself or herself. The fact that benefits are going to be paid to both those parties flies right in the face of responsibility. What's the point of being responsible? What's the point of having any concern about how you drive? You're going to get these benefits regardless.

If I'm right that the whole reason this legislation, both by our government and now the NDP government, has been brought forward is because of the perceived high cost of insurance and the necessity of having insurance, then surely the changes by the NDP government don't make sense.

They have removed the cap, which is put forward as a good thing, from some of the amounts that would be paid over a lifetime to an individual. They may see that as a good thing, and I suppose in some cases it might be; I can't dispute that. But the fact is that once you remove a cap and once you apply indexation to it, you have taken away from insurance companies the opportunity to arrive at what is their liability. You have taken away from them

the ability to set a fair premium based on logical facts. Once you've done that, you've put them right back in the position where they can't reduce premiums or they can't maintain premiums or they can't set premiums because all of these uncertain elements are involved in the question of setting premiums.

What have you got? You've got the people of Ontario, who were promised by the NDP government that insurance premiums would be reduced or maintained, or would not escalate the way they were escalating, or that insurance would be available to all parties, and you've put that again in jeopardy.

It's kind of like going back to the bargaining table. Instead of solving the problem, what this new legislation has done has been to simply put it in some degree of uncertainty again, and it will have to be revisited.

That's where it really gets scary, because if you look at the legislation and the responsibilities that it places upon insurance companies that desire to leave the field for whatever reason—they may leave it because of the uncertainty in terms of being able to set premiums. If they leave the field, they have to pay a penalty. We don't know what that penalty is yet. As I understand it, that's done by regulation, the fine. It could well be nationalization. I thought those things disappeared with events that took place in eastern Europe. I thought the taking away of a person's property had been done away with.

A couple of colleagues and I recently—on our own hook, I should say for the viewers out there in TV land; we paid for our trip—went to Cuba. Cuba's a clear example of it. They nationalized everything. People went down there expecting to operate a business and suddenly found that their business was taken over by Big Brother.

I suggest to you that's exactly what you're doing; not directly, but you're certainly laying the groundwork for that happening. If that is the case, then I have to think to myself that there are insurance companies out there that are going to begin to shrink. The opportunities for insurability will shrink.

These people are going to get out before this act is even passed, I'll bet. They're going to say, "Because I don't know what the cost of getting out is, I'm not going to stay around till the act comes into being." Therefore, you've limited the market. Once you limit the market in anything—we've all seen it with monopolies generated for things such as Ma Bell. I'll probably get my telephone cut off after this speech, but we've all seen that when you narrow competitiveness you increase the availability of being able to charge whatever you like.

Who is going to monitor the increases? There's nothing in here that says, "This will be the increase and nothing more." You haven't fulfilled your commitment to the people of Ontario—albeit I don't agree with it—of public auto insurance. It's a disgrace across this country. It's a disgrace that resulted in justices of the peace being charged in one of the western provinces, and I know because I chaired the justice committee that went around on the first run at this bill. The justices of the peace were approached by people who got tickets and said, "Jeez, I can't afford to have a ticket," or, "I can't afford to have demerit points", because

when it comes time to renew your licence, that's where you front-end load the cost of your inappropriate driving.

I don't know how the cases out west turned out, but the net effect was that people were charged, including justices of the peace, with obstructing justice by fixing and eliminating tickets. If that's the type of conduct that arises from a public system, forget it. I don't think anybody wants a public system.

I see this belief—in the mental attitude it seems to me of the socialist government—that government can do things better than anybody else, so you've left that sort of footprint in the legislation to allow you at the appropriate time to take those steps, to nationalize the insurance company industry and thereby take on all the responsibility for insuring people in this province.

I started out by saying the Conservative government thought it was a nice idea to have you pay a fee when you bought your licence plates. If you couldn't afford insurance you could pay, I think it was, \$10 or \$50—I can't remember what the fee was—and you were covered under the uninsured motor vehicle benefits which allowed you to drive. There were limitations in terms of benefits, be you at fault or the other person at fault.

What you people are doing is taking the Tory concept, which didn't work—I don't say that disparagingly of them; it was an effort to try to get people on the road who couldn't afford to pay the premium—and you're enlarging it. You're enlarging it to the extent that now you're taking on the whole thing. I suggest you better get the message out to the insurance industry that that's not what you have planned, because if you don't, I predict that before this legislation is given royal assent you will see at least three or four major insurance companies fold their doors in terms of motor vehicle insurance and simply sell life insurance.

If that happens, that's jobs. Of course, we've seen the difficulties that have arisen in our economy, and certainly the people out there watching, if there are any people watching at this point, would consider it irresponsible for me to blame everything on your government. Obviously, the economy around the world is having difficulty. Jobs are being lost all over. There are things, such as the free trade agreement, that have obviously affected us.

But why add to the misery of individuals? Why put at risk the jobs of these people who are now working for insurance companies in the automobile insurance industry? Is there any need to put them in fear that their jobs are going to be gone? I hate to say it, and I don't want to be a fearmonger, but I will be willing to bet that I'll be able to say to you, "I told you so." Once this bill receives royal assent, in advance of that happening, you will see one, two or perhaps three major insurers no longer sell car insurance because of the uncertainty of this nationalization provision.

You talk about the change from putting people on a meat chart. My colleague the member for Eglinton was quite right. I remember the NDP, and not just the NDP but the Liberals and the Conservatives, always complained about the WCB and the meat chart, that it was unfair. It was the type of thing that put everybody in the same category. If you had a back injury, you got X; if you had this, you got X.

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It never looked at the question of how severely that person was injured, or what impact it would have on them. It just put you on a scale. It was like measuring your kids as they grow. You're six feet, so you get this. You're five feet, so you get this. That clearly is unacceptable.

The member for Cochrane South makes the comment, "What's wrong with putting everybody on the same level?" I think you'd get an argument from a lot of people in a free and democratic society about why everybody should be on the same level. Yet I believe, and I don't say this in a pejorative fashion, that this is the socialist dogma.

Okay. No one should be higher than anyone else. We should all be on the same plain except those privileged few who might have access to situations of power.

I was thinking to myself, if the member for Cochrane South, who is newly elected and he's probably a parliamentary assistant, I guess, so he's probably making somewhere in the neighbourhood of \$70,000—

Mr Tilson: He is making more than you are.

Mr Callahan: Of course he is. He's making \$70,000. I don't know what he made before, but I'm not even going to refer to that.

If he were in a car accident, number one, if his injury was bad, like it was a bad back or a broken leg or something of that nature, and some lawyer looked at his claim and said, "You can't get over the \$15,000 threshold, so forget it; don't sue for pain and suffering," he's now going to get the benefits that have been praised by the member for Cochrane South and also the member for Cambridge for life or for whatever period of time it's necessary.

Is he going to be happy with that? Does he consider that this is fair? Does he consider that this is going to allow him to support his family in the way he's supporting them now, I suppose? Not at all.

I can tell you as well that if you want to put in this \$15,000 deductible, all you have got to do is look at the example of everyday life. I have an insurance policy on my house that has a \$250 deductible. We have bicycles and skis ripped off from time to time. You don't claim for them. The reason you don't claim for them is because, in most cases, it wouldn't be worth your while. Probably your premium would go up as well. What's the point if you've got a deductible? Why do it?

I can predict that there will be people who will perhaps have a serious injury who will be reluctant to go to a lawyer, and if they go to the lawyer, the lawyer's got to say, "Can we get past that \$15,000 deductible?" You're going to have to take the action in the General Division court, because the Attorney General, unwisely, I think, has not brought in an increase in the small claims court limit.

So you're in the General Division. We all know that the Treasurer has increased all the disbursements in the General Division by about 150%, so the costs that you pay to the court, the costs that you pay to your lawyer, the costs that you pay for medical letters now—because the Minister of Health has now taken that out of OHIP—the costs you pay for other things are going to take your claim.

You're going to need about a \$30,000 claim to come away from that whole procedure with anything.

The lawyer will take about a third, even though we claim not to have the practice of taking a percentage in this good province of Ontario. The fact is that in most cases it's about a third, and I think most lawyers are upfront when they tell clients that. If you take a third of the \$30,000, that's \$10,000; you've got \$20,000. There will be other costs. It will cost you medical reports. Medical reports can go anywhere from \$250 to \$500 to \$1,000. You have got witness fees. You may not get reimbursed for those.

So I suggest to you that you're trying to protect the Premier who, as has been mentioned many times, said on about five occasions that Premier Peterson had lied and he was going to save us all. He was going to give us public auto insurance.

I remember quite clearly that the member for Welland-Thorold filibustered. It wasn't a legitimate filibuster. My favourite filibuster is Mr Smith Goes to Washington, where you've got to stand there for ever. You don't get an opportunity to go for a nature break; you don't get an opportunity to sit down. You stand there. Of course, every night at 6 o'clock or whatever the period was we sat to, the member for Welland-Thorold went home. He had that opportunity. I remember the Premier as well—I was here—rushing up and congratulating him and giving him a big hug because of the great stuff he'd done against the terrible Liberals who were bringing in this insurance bill.

Then suddenly the Premier, whom we haven't seen for quite a while, decides, "Well, we can't do that; change our minds." It's probably not the first change of mind. The Agenda for People should have been called the missing Agenda for People, because I've not seen one item in that Agenda for People, which was touted by you people as you campaigned across this province, brought forward. That's amazing. You just celebrated the second anniversary of the elevation of your fellow members to cabinet, and nothing from this Agenda for People has been done. Was the Agenda for People written by some smart public relations group with a view to deceiving the people of this province into voting for you? Was that the purpose of the Agenda for People?

I don't believe that. I think there are men and women in the benches of the NDP who really believed in that, who really believed that the Premier was going to fulfil the promises he had made in the Agenda for People. Well, surprise; it's like the Holiday Inn commercial, or I guess it's "No Surprises" at the Holiday Inn: He's not going to keep any of those promises; none of them.

Peter Kormos, the member for Welland-Thorold, has been praised by a lot of people in this House for standing up and speaking out against it. I don't want to give him quite as many accolades. The member for Welland-Thorold has probably been told by the Premier: "You can go and do that because we want you to. If you don't do it, then the opposition will stand up and say exactly what they're saying, that you were muzzled."

The proof of the pudding in terms of how your caucus operates is the member for Lincoln. He votes one time against your party, isn't joined at the hip, and suddenly, I

guess, has a quick visit from the House leader and his job as a Chairman, which I understand he did quite well, is poof; it's gone. That's called power. That's called keeping the boys and girls and ladies and gentlemen in check.

Mr Robert W. Runciman (Leeds-Grenville): You know something about that, do you, Bob?

Mr Callahan: Well, I'll tell you something: I never got into cabinet, probably for the reason that I never played that game.

I think if there's anything more important today for the people of this province and this country, and perhaps the people of the United States too in the heat of a presidential election, it is that there has to be reform and there has to be credibility in their political people. You can't go around during an election saying one thing and then when the election's over, say, "Hey, we've now got power and we're going to do this instead."

Mr Farnan: David Peterson—

The Acting Speaker: Order.

Mr Callahan: The member for Cambridge is muttering something. He's an honourable fellow. He was a member of cabinet and I thought did a pretty reasonable job. I don't know what happened. The simple matter of writing a letter? You must have done something else. There must have been something else.

What did Mr Kormos, the member for Welland-Thorold, do? He posed for a beefcake ad. You've just got to take a look at the member for Welland-Thorold and that's an inappropriate commentary, "beefcake."

Mr Tilson: What is more appropriate?

Mr Callahan: I'm not sure. I think it was just that the Premier wanted to get rid of him.

Can you imagine the member for Welland-Thorold standing up and having to defend this legislation, this inadequate approach to what the Premier had promised during the election campaign? Can you imagine him standing up there trying to defend it? That would be a debacle. "How do we get rid of him? We've got to get rid of him somehow."

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The Acting Speaker: Order, please.

Mr Callahan: I'm sorry. Yes.

The Acting Speaker: The honourable member for Cambridge on a point of order.

Mr Farnan: I believe the member made references to beefcake in his address, and I think sexist comments in this chamber are inappropriate.

The Acting Speaker: I don't believe that's a point of order. At this point I'd ask the honourable member to regain the floor.

Ms Poole: He said he wasn't beefcake.

Mr Callahan: That's right. It was a non-sexist comment.

In any event, can you consider the member for Welland-Thorold having to stand up here and defend the non-introduction of the bill that he spent a lot of taxpayers' money in the filibuster defending?

I'm sure Mel Swart has probably ripped up his card in the New Democratic Party. I'm sure he has. Mel is a man

of honour, and I'm sure Mel will not put up with this nonsense, this non-fulfilment of promises.

Having said that, why did he get turfed? He got turfed precisely for that reason: because it would be an embarrassment to the government of the day that was bringing in this lollipop for the people of this province. It's a lollipop. This is what's wrong with the whole system. It wasn't you, ladies and gentlemen, because the backbenchers really have no say in this way we operate government. It's the Agnews, all of the spin doctors, about four cabinet ministers and the Premier who go down to the back room and decide what's going to happen. They think about it and they think: "Geez, we can't bring in public auto insurance. But what do we do with Kormos? What do we do with the member for Welland-Thorold? How do we silence him? Well, we'll arrange to have his picture taken"—I'm not suggesting that happened, but it's a possibility—"in the Sun so that we can use that as a reason for turfing him and keeping him quiet."

What happens is that the member who is now speaking out has to speak out. I think that's part of the plan too. You know, the Premier says, "Let him speak out; otherwise it looks like we're trying to muzzle him," and yet they are trying to muzzle him. They're trying to muzzle each and every one of you people. They're telling you, "You don't vote for this, but in about a year or two when the economy comes around, when Marilyn's casinos have been spread around the province like Pizza Pizza franchises, we'll have all sorts of money."

The Acting Speaker: Order, please. The honourable member for Cambridge on a point of order.

Mr Farnan: Basically, Mr Speaker, your efforts to bring some dignity to the House are appreciated. When members consistently refer by first names and second names to members of this chamber, it is inappropriate. It is not following parliamentary procedure. I think the member would be well advised to refer to individuals on both sides of the House by the riding from which they come.

The Acting Speaker: I would say to the honourable member for Brampton South that that advice given to the House by the member for Cambridge is well founded and I would ask the member to remember that as he continues to take the floor.

Mr Callahan: I will do that, Mr Speaker. Thank you, Michael.

I want to go back to my favourite theme. There are people over there who've had two years of this nonsense of being joined at the hip and having to support matters they don't believe in. For God's sake, decide to say something about it. Don't always try to believe you've got to support everything that not the government but the back-room boys bring into play. If you do that, you're going to look like you shrunk the government side or you'll be on the opposition side or perhaps on the third-party side, because you'll shrink it. You won't be back. I think you'd better be able to go back and face your electorate when it comes time for re-election and be able to tell them, "You know, I wasn't prepared to put up with Bob Rae's

prevarication." Prevarication—we'll send you a note over after the period's over to tell you what that means.

But in any event—

Mr Owens: See if you can spell it first.

Mr Callahan: Well, it's not necessary, because Hansard is going to spell "prevarication," I hope.

In any event, I think what you have to do is speak up for your constituents, and you're not speaking up for them. What in fact you're doing is you're allowing the government of the day to just sort of push you around, push your constituents around, and I don't think that's really the purpose of being here.

Mrs Ellen MacKinnon (Lambton): On a point of order, Mr Speaker.

Mr Callahan: Oh, my heavens.

The Acting Speaker: Please be seated. The honourable member for Lambton on a point of order.

Mrs MacKinnon: The honourable member who's on his feet is indicating that I vote how I'm told by ministers, cabinet or whatever. No, Mr Speaker: I vote to my conscience.

The Acting Speaker: I thank the honourable member. That's not a point of order. I'd ask the honourable member for Brampton South to continue the debate.

Mr Callahan: I'd like to tell the member for Lambton that she must certainly agree with an awful lot of things the government suggests, because I have yet to see her vote against the government.

Mrs MacKinnon: You haven't been here all the time, then.

Mr Callahan: No, no. But there are two ways—

The Acting Speaker: We're getting into some dialogue back and forth across the chamber. Please address your comments to the Chair and please continue your debate on the bill. I'd ask the honourable member to continue.

Mr Callahan: I will do that. Thank you for bringing me around.

Mr James J. Bradley (St Catharines): Are you provoking the NDP?

Mr Callahan: No, not at all. The member for Lambton was just trying to say how she doesn't vote for every initiative that the government brings forward, and I simply had told her that I had never observed her voting any other way, and she told me that she wasn't here all the time.

There are two ways of casting a vote in favour of the government: You can either vote with your feet or you can vote with your hip, and I guess she's been voting with her feet sometimes. I mean, you disappear. The member for Welland-Thorold will probably disappear, as I have suggested, when Bill 164 is brought before the House for a final vote, because if he doesn't, he may as well come over here and join us, because he's toast. He will never see the inside of a cabinet room. He will never see the chair of a committee.

Mr Bradley: He'll be the Premier.

Mr Callahan: That's a possibility. I think that's what he thinks is going to happen, but they're only getting one

shot at Premier. So he's out of luck unless something happens between now and 1995.

I want to hear from some of my colleagues as to their questions and comments on my speech. I'm sure they will be varied and diverse.

Mr Charles Harnick (Willowdale): Give us a one-minute summary of it.

Mr Callahan: Okay. In summary, what you've done is you've created a bill which is neither fish nor fowl, lacks the guts of the so-called Agenda for People, is not a response and does not justify the Premier of this province, before the election of whatever year that was, calling Premier Peterson a liar, because the Premier of the day has now established a new role in terms of that very word by not carrying out even one of the promises in the Agenda for People. My good friend from Scarborough-Agincourt carries it around under his arm. I don't know why he does.

Mr Bradley: Is there anything about casinos in it?

Mr Callahan: No, of course not. Casinos were considered to be sinful. But not now. We are going to have them spread over this province like Pizza Pizza franchises.

Mr Tilson: We're going to have to drive to Windsor to go to it.

Mr Callahan: No, you won't have to soon.

Mr Harnick: We're going to take a Sunquest flight on Thursday morning.

Mr Callahan: Is that right? No, casinos will be here and what casinos are going to do is, they are going to destroy the little guy.

Finally, I want to say—and this is slightly off topic, but for 35 seconds surely I can say it. I would like to see your government pass and give royal assent to the bill about the cheque-cashing places, because it bothers me to see these places with the flashing neon signs. All I can think of is Las Vegas. They stay open 24 hours a day, and what they're going to do is let the poor sucker coming home from work at night cash his cheque, go in and blow all the money in Marilyn's casino and go home to mother and children and so on and say, "I'm sorry, but I lost." If that happens, you people are a disgrace.

The Acting Speaker: Questions and/or comments? The honourable member for Dufferin-Peel.

Mr Tilson: I'm not going to get into the merits of the member for Brampton South's comments about his own plan, the Liberal plan. I think that has been dismissed by everyone, including the Liberals. But I would like to talk somewhat on some of the comments he made with respect to cost, dealing specifically with Bill 164.

The Road Ahead, of course, which is the document—I'm not sure what it means, but it simply says that the system they're going to put forward is going to be a system that's generous, affordable and fair. Yet when you start analysing Bill 164, it's not going to be more affordable.

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For example, there's now going to be unlimited benefits. That means a certain amount of risk and uncertainty. As we're all the same now, there will be people who will be forced to buy a generous package of benefits that

normally they might not buy, that they may not need or want, but they'll have to buy it anyway. The whole subject of unlimited benefits means time. It means it's going to carry a very costly price tag. That seems to be more and more established as we analyse the regulations.

The government has indicated that there will be three times the amount of access to the courts. I dispute that. I don't think there will be three times the access to the courts, specifically when you start analysing the subject of the deductible. But clearly, if they're right—and I'm saying they're wrong—that's going to be even more costly.

When you start looking at this, there's no question, not a shadow of a doubt, that premiums are going to go sky high with this plan the government's putting forward.

Mr George Mammoliti (Yorkview): Whenever the member for Brampton South gets up to speak, I always listen. He seems to have this power, a power that only a few have in this world, and that's the power that lies beyond.

Mr Anthony Perruzza (Downsview): Divine wisdom.

Mr Mammoliti: Divine wisdom, as my colleague says. Perhaps a crystal ball or a deck of cards might be in order for this member. Perhaps we should take out a room downstairs and ask him to tell the fortunes of all the members in this place and tell us what everybody is thinking, because every time he stands up, he talks about what he thinks other people are thinking. He talks about Peter Kormos. He talks about the Premier. He talks about everything except the bill itself. He talks about what he thinks other people are thinking. Perhaps a deck of cards might be in order; if I ever want him to tell my fortune, I will come to the member.

Mr Farnan: Maybe he should think for himself.

Mr Mammoliti: Maybe he should think for himself. Thank you.

I also want to respond to his comments on the bill in that little moment before he told the fortunes.

This bill, like many others I've found over the last two years, is a bill that is an adjustment, adjustments to Liberal mistakes. We have to do that consistently, and I'm sick of it. People are waiting for—

The Acting Speaker: Thank you. The honourable member's time has expired.

Mr Bradley: I won't speak about casinos at present, something near and dear to you, Mr Speaker, because the member didn't make reference to that. I should say the Speaker is opposed to this.

Because the member for Yorkview, who spoke in response, mentioned that the member from Brampton had made several references to the Premier and Peter Kormos and so on, I would like to make a reference to Mel Swart. There's an individual for whom I had a good deal of admiration. Mel and I sat in opposition together. Actually, it was revealed in a newspaper article that on Friday afternoons, because we used to sit in the mornings on Friday, Mel and I would drive back and forth together. It was a contest to see who was the more interesting driver, Mel or I, on the way back to the St Catharines area.

But many times we discussed the issue of automobile insurance, and I remember many of the impassioned speeches Mr Swart made to this House as the member for Welland-Thorold. The member from Brampton would know of him, because he sat for part of that time with Mr Swart.

He must be beside himself—I think he's expressed this at the NDP provincial council and at the annual meeting of the NDP—at the bill that is being considered this afternoon by members of this House, as I'm sure many of these members are. If there's one thing I knew Mel Swart stood for, and my colleague from Brampton knew as well, it was for public automobile insurance. He would have been one of the strongest advocates of it within the caucus if he were still a member of the NDP caucus. It's disappointing that a good CCfer, a person whose retirement dinner I attended and a person I've always admired and respected, is seeing his dream of automobile insurance, the dream he portrayed to the voters of his riding, disappearing as the government decides it's going to embark upon a different course of action.

The Acting Speaker: Further questions and/or comments.

Mr Harnick: It's very interesting. I listened to my friend from Brampton. He dwelt at great length on the fact that although we know there are a great many people on the NDP side of the House who are against this legislation, they won't vote against it, and implicit in his remarks is how bad the bill is. I remind the member for Brampton South that it was his party that got us into this mess in terms of putting innocent accident victims behind the eight ball, and now the party that made promises and pledges to innocent accident victims is compounding the problem by taking more of their rights away from them.

The one thing the minister can't seem to understand is that when you impose a deductible on people and take \$15,000 away from the 3% of innocent people who can claim for a portion of their loss, excluding their economic losses, what you're doing is funding a system that is giving more to at-fault drivers. You're penalizing the innocent to pay the at-fault. The minister knows that, and the minister knows this system is not going to work.

But I put it to the minister, who's here for the first time since I've had the opportunity to speak about this bill, if your system is so good and if your taking away of economic rights is so justified by the fact that no one's going to lose anything, if your plan is so all-encompassing that no one will fall through the cracks, no one will have an economic loss, I challenge you to give people back their rights, because under your plan there's no loss they're going to suffer. No one will fall through the cracks. No one will need to claim for economic loss. If you're that satisfied, give it back and let's see.

The Acting Speaker: The honourable member for Brampton South has two minutes to give response.

Mr Callahan: I want to thank all my colleagues for their insightful comments about my speech. Some of them were not as gratifying as I would have hoped, but I guess that's life.

I don't expect that the government is going to change its position on this. It's one of these things where the levers of power can be great persuaders. I know of what I speak, because you sit over there on those benches, some of you people, who have probably never seen the inside of the cabinet room, and you hope and pray that if you are a good person you will eventually get into cabinet, and that doesn't happen.

Mr Perruzza: Why do you always have to resort to insults?

Interjections.

The Acting Speaker: Order.

Mr Callahan: I'm trying to excite you people over there, not just you people but the people on our side, Mr Speaker, because I speak to something that's very near and dear to your heart as well: that this Legislature must be reformed. There must be a great deal more empowerment of backbenchers. There must be an opportunity for them to speak out on behalf of their constituents. They shouldn't be muzzled or hamstrung by the threats of power, the levers of power, that, "If you don't do it my way, it's the door."

I don't think that's appropriate. In this day and age, politicians are expected by the people, who are good enough to go out and vote for them, to represent their views. The view I'm getting from my constituents is that the insurance is fine now; leave it alone. Don't try to bring something in just to placate the promises that were made by the Premier in order to get elected.

1640

The Acting Speaker: Further debate?

Mr Runciman: I'm pleased to participate in the debate on this very important piece of legislation. Before I begin, I want to say that the Speaker made a ruling a couple of days ago in respect to wearing buttons and other paraphernalia in this House. I'm not a supporter of that because of the traditions of the House, but because of the Speaker's ruling I and other members of the Conservative Party are wearing blue ribbons today in support of the police in the province who are being so shabbily treated by this NDP socialist government.

Interjections.

The Acting Speaker: Order.

Mr Runciman: I've had some experience with the auto insurance issue in this province, serving as the critic for the Ministry of Financial Institutions for about five years, and briefly as the minister responsible for financial institutions.

The auto insurance issue never seems to go away. Government after government seems to be trying to grapple with this. Regrettably, when we look back at the past five years, a number of the changes that have occurred have not resolved the situation as it could have been resolved if the government of the day—looking back to 1987—had paid heed to the recommendations of Justice Coulter Osborne in perhaps the most significant study of auto insurance ever undertaken in North America, the recommendations Justice Osborne made in respect to reforms to the tort system.

He said that Ontario undoubtedly had the best compensation system in the world. He indicated that undoubtedly there were some flaws in the system, some problems with the system and he made a number of recommendations as to how they could be corrected—caps etc. He also made comment in reference to no-fault, government-run etc, and very strongly urged that we not do away with the tort system in place in Ontario. As I said, he considered it the best compensation system in the world and said certainly moving to no-fault was throwing the baby out with the bath water.

It's kind of ironic hearing a couple of the Liberal members here today, the member for Eglinton and the member for Brampton South, talking about no-fault, given the arguments we had a couple of years ago in respect to their legislation and the fact that their bill effectively ruled out about 95% to 97% of innocent accident victims having access to the courts. Now they're getting up and being critical of no-fault, when their government initiated this move. So it's pretty difficult to swallow many of the comments coming from the Liberal benches.

I toured the province on a couple of occasions in respect to automobile insurance, one with the critic of the NDP at the time, Mr Swart, the former member for Welland-Thorold, and the second time with the current and future member for Welland-Thorold, Mr Kormos. It was, I think, the second tour of the province dealing with the Liberal no-fault legislation. I've said this before in the House during debates. It was probably the most emotional experience I've ever undergone as a member of this Legislature because of the testimony that was before us, overwhelming opposition to the Liberal initiatives. Much of the testimony was from people who had been innocent accident victims, who had no vested interest, nothing to gain from retention of the tort system. They were innocent accident victims who didn't want to see innocent victims penalized as a result of no-fault legislation being brought in by the Liberal government of the day.

I vividly recall, and I'm sure the member for Welland-Thorold does, a young fellow by the name of Jeremy Rempel who appeared before us in a wheelchair, and the moving testimony of that young man and his father who also testified about the experiences of a parent dealing with an injured child and their very real concern about the inability of future innocent accident victims to have adequate compensation under the system being proposed by the Liberal government.

Of course, we heard from Mr Kormos at the time. We heard from a number of other members of the NDP, who were very, very much critical of the Liberal plan, and justifiably so, including the now Treasurer of the province who I recall sitting in on a couple of the committee hearings and obviously, at that time, being very supportive of the stance being taken by the critic, Mr Kormos, which was his concern about innocent accident victims and the removal of their access to the courts.

I guess there's a lot of irony in things that have transpired over the past six or seven years. We can just look back at the filibuster that occurred with Mr Kormos undertaking that effort and being so strongly supported by his

colleagues. I think there were something like 19 in the NDP caucus at the time, people like David Reville, who was the whip for the NDP at the time, saying things during the process of the filibuster that, "Mr Kormos is our hero," during that debate. Of course, when he completed his filibuster, I think the complete 19-member caucus was here, and led by the Leader of the Opposition, Mr Robert Rae, gave Mr Kormos a standing ovation as he completed his filibuster and left the chamber.

Interjection.

Mr Runciman: Anyone who was here; you're right, you were one of the 19.

I have a lot of difficulty, and obviously most of us do who were around at the time, with the complete change of tune, if you will, of the NDP now that it's in government. We've heard some references to cynicism and the view that the public has of governments and politicians generally across this country. Certainly the flip-flop of the NDP in respect to this major policy plank has fed upon that cynicism of the public. We can talk about other matters being undertaken by this government as well.

Mr Kormos, the member for Welland-Thorold, said in his speech, which regrettably I missed yesterday—I just want to quote one comment from it—"I speak against Bill 164 as bad legislation; ill-conceived; yes, poorly written legislation and, most importantly, a complete betrayal, the most cynical of breaches of trust."

The member for Brampton South, when he preceded me, was suggesting that there was a decision made within the government ranks that Mr Kormos, the member for Welland-Thorold, would oppose this without any penalty, any retribution, and I disagree. I think that's underplaying the real, strong belief that Mr Kormos has in the party principle that they've stood for for so many years and his strong and unwavering support for innocent accident victims in this province.

I think to suggest otherwise is inappropriate and simply doesn't do the member for Welland-Thorold justice. I served on that committee with him. I served shoulder to shoulder in terms of our roles as critics for the Ministry of Financial Institutions and I know how strongly held those views are, and unlike most of his colleagues on the back benches he has the intestinal fortitude to stand by his principles, the principles of the party that he has believed in for so many years.

I want to say that we had some prognostication here. I don't think that Mr Kormos, the member for Welland-Thorold, is jeopardizing his position within the ranks of the party at all, because what he is doing is really standing up for something this party has fought a number of elections on, a party that fostered a 17-hour filibuster in this Legislature on it. He is very strongly supportive of that and he's prepared to stand up for that in this Legislature. He's also doing it on the casino issue.

1650

I want to suggest that I think it's relevant, when we're trying to appeal to the government ranks, to take a look at what he's doing, and I encourage you to also take a look at this with a closer eye in respect to its violation of what you

have stood for for so many, many years, because when the next election rolls around I will be quite prepared to place a bet with anyone that Mr Kormos, the member for Wel-land-Thorold, is going to be re-elected because he's fighting for what he believes in and for what his party believed in for so many years.

Unlike significant numbers of you, perhaps, he is going to be re-elected, and I can foresee the possibility of the NDP returning to this Legislature in 1995 or late 1994 with a rump which includes Mr Kormos, with Mr Rae's resignation on a plate and Mr Kormos running for the leadership of the party. I'm not going to suggest how successful he's going to be in that effort, but at least he won't have to make any apologies about standing up and speaking out on behalf of party policy that you have fought many, many elections for, which the rest of you, for a variety of reasons difficult to understand from this side of the chamber, are refusing to do.

I mentioned Mr Reville. There are a number of others who have also spoken out on this issue and who sit across the floor in government. The current Minister of Financial Institutions, who's responsible for carrying this legislation through the House, will recall the private member's bill that I introduced in this House back in the fall of 1990 calling for the return of the right to sue.

That member was then a backbencher, not being called into cabinet during the first opportunity because of who knows what—some public comments he made following the election? I guess that was the speculation in the press in any event, but he's now there. During this opportunity he had in the fall of 1990, he spoke in support of the legislation, the return of the right to sue, spoke about his own concern in caring for innocent accident victims and generally supported the position his party had taken for many, many years. I believe—I'm drawing on memory—he also made some reference to his support for the concept of government-run auto insurance. Of course, we've seen that decision taken away from him. I don't believe he was in any real sense part of the process that made the decision to not proceed.

We've seen this over the years, that the perks of office can lead many a good person down the wrong path. Looking back, I can recall even in the Davis years when there were members of the Davis cabinet who probably should have left cabinet on matters of principle. Certainly, in the Peterson years I don't think we saw anyone in the Peterson ranks, backbench ranks or even cabinet, speak out or question any of the initiatives of Mr Peterson and the little gang that called the shots in the Liberal government.

We've had some comments made about Mr Rae having a press conference during the last campaign. I think my colleague the member for Etobicoke West made reference to this yesterday and I'm sure our party critic, Mr Tilson from Dufferin-Peel, has made reference to this as well, the criticism that Mr Rae had of then-Premier Peterson, in fact calling him a liar, which was certainly unusual language. When we talk about negative campaigns in elections, this was, I think, something new in Ontario, where we had the Leader of the Opposition at his press conference kicking

off the campaign calling the Premier a liar a number of times; I forget what the exact number was.

Mr Chris Stockwell (Etobicoke West): Five.

Mr Runciman: Five, I'm advised, in that press conference, and now betraying the public trust placed in him by the electorate and not fulfilling the promise he and his party made to the people of this province for so many years.

I have less difficulty with what Mr Peterson did than I have with the actions of Mr Rae, because Mr Peterson was known for these sort of off-the-cuff, ill-researched and sometimes irresponsible comments and promises he would make. I think you and I would remember the 1985 campaign when Mr Peterson, off the cuff—I think he was touring a brewery—said, "I'm going to put beer and wine in corner grocery stores." Of course, that was a pretty big winner for the Liberal Party. Those of us who ran in the 1985 election, especially in urbanized areas, were very much attracted to the idea of beer and wine in grocery stores, but once he got into government, forget it; that was set aside.

So when he made this, again, what I believe was an off-the-cuff comment during the 1987 election that he had a specific plan to lower auto insurance rates, again I think it was an indication of the type of individual Mr Peterson was and perhaps still is and why he is no longer the Premier of this province.

I don't hold that against him in the same way that I hold Mr Rae responsible for his comments in accusing Mr Peterson of being a liar, basing an election campaign on that accusation, and then betraying the public trust, once he had received it and received a majority government, by doing a complete flip-flop on a promise that his party had stood by for so many years.

I want to talk about a few specifics of the bill. I don't pretend to be as familiar with it as the critic, but I've certainly had an opportunity to review some of it. I know there are some questions about what this is going to cost the public. We've heard the Insurance Bureau of Canada talk about a 20% average premium increase. We've had the Mercer study supplied by the government. I don't know what this cost, but I'll tell you, Mercer has made a fortune in insurance studies over the past seven or eight years off the people of Ontario. But Mercer, I guess, is suggesting a 3.9% average increase in premiums—

Hon Brian A. Charlton (Minister of Financial Institutions): Costs.

Mr Runciman: —in costs—versus what the minister had been indicating: that his plan was going to result in a reduction.

Hon Mr Charlton: It will; Mercer concurs.

Mr Runciman: He's interjecting that it will, and I'm not sure how that's going to occur. Certainly the cabinet is going to have the authority to regulate prices, and I'm not one who's terribly supportive of government intervening in that area.

The other element of this legislation which concerns me greatly, which relates to price regulation, is the withdrawal provisions. We're talking about where an

insurance company, for financial reasons, is having difficulty operating within this province—auto may be just one arm of their operations—and wants to pull back or pull out or even leave this province because of the heavy-handed approach of the NDP socialist government. What this bill is going to do is bring in heavy penalties for any company or an arm of a company that wishes to take initiatives in this area because of significant financial losses. This is indeed unprecedented, and I believe it's frightening.

Hon Mr Charlton: It's also not correct.

Mr Runciman: It's sending out signals not only to the insurance industry but to investors, international investors, about this province and about this government with respect to, "Why should we be investing in this province when we have a government that's so prepared to intervene in the private sector to a degree whereby it is going to penalize you financially in a significant way if you want to make a business decision based on the profitability or lack of same of your company?"

This is unprecedented. I'd like to think about it and put it in a broader sense of the implications for anyone looking at investing in this province or for anyone operating a business or industry in this province. It's an extremely frightening initiative and an extremely frightening element of this bill.

The minister is suggesting that my interpretation is incorrect and he'll have an opportunity—only two minutes, I grant you—but perhaps he can stand up and clarify where we're wrong in our interpretation.

1700

I also want to talk a bit about the risk classification element. Again, as I understand it, this legislation, with the risk classification provisions, is going to institute a single system of risk classification by eliminating age, sex and marital status as areas of assessing risk. This certainly was a long-time initiative of Mr Swart. I recall when the Liberals tried to do this it created significant consternation, not only of course with the insurance industry in terms of its cost impact but with the drivers in the province who were going to be very negatively impacted upon by this change.

Obviously, this is the sort of thing perhaps the minister can explain again. It seems to me that when we talk about this single system of risk classification, the people who again are being penalized are the better drivers in society.

What the government is doing, and what its Liberal predecessors proposed to do but drew back from, is sticking its head in the sand and essentially ignoring reality, ignoring what's happening on the highways and roads of this province and ignoring the fact that young male drivers are the highest risk, that they're the people who are getting into significant numbers of accidents. If we take a look at impaired driving leading to death, those are the numbers again, people under 19 years of age. Young females are going to be penalized—that certainly was the implication of this single system of risk classification—and seniors.

I recall rising this in the House two or three years ago when the Liberals were suggesting they were going to do this—it must be three years ago—and raising the concerns of the senior citizens of Ontario and the fact that their rates

were going to be increasing by 30%, 40%, 50%, 60%, 70%. They were going to be faced with dramatic premium rate increases as a result of this risk classification change.

The minister is shrugging all of this off. Hopefully, when he wraps up, he's going to be able to allay all our concerns about these initiatives, but I very much doubt it. Certainly, on the face of it, these concerns are valid.

I'm going to talk a bit about the failure of the government to reintroduce the right to sue for economic loss. This is the most significant financial portion of tort, and you have failed to touch upon that and the right to sue for future financial loss. We're talking about students. We're talking of course about the unemployed. There's no recognition of the future financial loss of innocent accident victims in those sorts of situations. Mr Minister, I'm not sure why you have avoided that. I really have a great deal of difficulty in understanding the rationale.

I want to again get back to the views that Mr Kormos, the member for Welland-Thorold, had during the year leading up to the 1990 election and the hearing process we went through. As I said, it was an emotional experience, a draining experience in many ways, not only because of the testimony that we heard before us, Mr Minister, but also because of the fact that the government of the day refused to listen to that testimony. It must have been around 90% of the witnesses appearing before us were very much opposed to that legislation and, as I said, had no vested interest, had nothing to gain from it, when the government of the day totally ignored those kinds of submissions. That is also a draining experience for any legislator.

You're here and we're here to try to do a job for the people of this province. When you hear that kind of testimony and you have a group of backbenchers sitting on that standing committee who simply refuse to listen to the testimony and simply refuse to give it any credence, you can imagine the frustration of Mr Kormos and myself, or yourself, if you sat on a committee and had that kind of experience.

I am suggesting to you, Minister, that's exactly what's occurring here today in respect of this legislation. You may have made some modest changes, some modest improvements; that's an arguable point.

Hon Mr Charlton: Maybe the members across the way will listen to the victims this time.

Mr Runciman: We'll be quite prepared to listen to the victims.

Mr Tilson: I hope you give us a chance to listen to the victims. I don't think you're going to give us a chance.

Mr Runciman: My colleague the critic, the member for Dufferin-Peel, raises a good point. This is a significant change and we should put this on the record. I'm sure he will do so if he hasn't already done this.

The fact is that your government is handcuffing the opposition in respect to having appropriate public hearings. We want to sit during the break in the House in January and February so that we can tour the province and give everyone an opportunity to have input into this important legislation. Now, what this government is

suggesting through its House leader, Mr Cooke, is two Fridays in travelling the province.

Apparently you'll go to northwestern Ontario and perhaps eastern or central Ontario in those two days—I'm not sure—and the rest of the time that's going to be allocated is only going to occur during afternoon sessions in this Legislature. People are supposed to travel to Toronto to have their views made known on this piece of legislation. That's just unacceptable, and the minister should be prepared, when we're talking about legislation as significant as this, to delay passage until we have given the people an opportunity.

You were talking about victims. You tell me how many victims' groups or individual victims are going to have an opportunity to appear before these hearings, given the restrictions and limitations that you've placed upon them: very few indeed.

This is difficult when you have the minister sitting there. I like the minister. I've worked with him for a number of years, and I think he is a genuinely sincere individual as well. But again, I believe what he is doing is something he truly does not believe in. I gather we can guess these things. We're suggesting that what he's doing is something he doesn't believe in. But if he wants to explain how this jibes with the position he took in the fall of 1990, the position he took on the hustings in 1987 and 1985 with respect to automobile insurance—you can't jibe it.

When you look at public auto insurance, the stand you always took was the British Columbia model, which is a tort system, the right to sue for economic loss. The provisions are all there in the British Columbia system, which you supported. Then, all of a sudden, when you have the opportunity to come into cabinet—you get the \$25,000 or \$30,000 a year, the fancy office, the limousine, the perks of power—that principle, those stands that you've taken and have stood for for so many years you're prepared to set aside in order to retain those perks, and that truly is unfortunate.

It's one of the problems, the demerits of this system, not only this system in Ontario but governments right across this country. We saw it, and I'll say it quite clearly, in the Davis government, we saw it in the Peterson government and we're seeing it in the Rae government, where you have, effectively, a dictatorship, where you have government run by a Premier and a handful of unelected advisers who really call the shots from the corner office.

People like you, who are too concerned about the perks of office and the privileges that go with it and the fact that you can call yourself a minister—I don't like saying these things to you, but I have to say them because I believe it's the case; if not, you would be leaving cabinet.

If someone like you, as a minister, were prepared to step aside on a question of principle, Mr Rae would be forced to back off. That's why Kormos is no longer in cabinet. He couldn't force this issue down his throat. What would have occurred is that you would have had a head-on conflict with the Premier of the day, saying: "I do not want to do this. This is what I am imposing upon you, Minister of Financial Institutions," and Kormos would have re-

signed on a question of principle. That's why he is out before that occurred, and you apparently do not have the intestinal fortitude to do the same and I regret that profoundly.

1710

The Acting Speaker (Mr Noble Villeneuve): Thank you. The member's time has elapsed. Question and/or comments?

Mr Peter Kormos (Welland-Thorold): I'm especially pleased to comment on the comments by Mr Runciman, the member for Leeds-Grenville, because, yes, he accurately recites the history of the opposition to no-fault in this province.

Mr Stockwell: The alleged opposition.

Mr Kormos: No-fault, yes. If you like workers' comp, you'll love no-fault. Why, there were only 19 of us in the official opposition; there were only 17 in the Conservative caucus. The government was overwhelming in its numbers and I tell you, notwithstanding that clearly members of the government caucus, members of David Peterson's government, Liberal backbenchers, would privately relate to Mr Runciman or to myself or to any other number of opposition members their distaste, their anathema, for no-fault, a recognition of the attack that no-fault constitutes on innocent victims, why, by God, to the final one they stood in their—well, sat in their seats and they stood from their seats, of course, and supported no-fault auto insurance.

At the very least Bill 68, that Liberal no-fault system, preserved for the most seriously injured people the right to full compensation. I understand there are going to be some brief committee hearings. Let's not keep any secret about the fact that there are no two ways about it; people are cynical and frustrated about what's happened since September 1990. They didn't expect to have to confront this issue once again. They thought that upon electing a New Democratic Party government the rights of innocent victims would be restored once and for all. But I tell you, as long as the word is being spread that somehow this new bill increases benefits when in fact it reduces wage replacement benefits, at least for those people who aren't in the top 10% of income earners in this province, people are going to continue to be cynical.

The Acting Speaker: Further questions and/or comments? The honourable member for Dufferin-Peel.

Mr Tilson: I must say, we've now heard from the left and the right. We've heard from the member for Welland-Thorold and the member for Leeds-Grenville, who have both worked together in the former challenge to the Liberal Bill 68. It's unfortunate that both of them became quite an authority on this subject and that we only are able to hear half an hour each from them. I don't want to spend any more time on the member for Welland-Thorold, but they've both spoken with integrity. They've both stood up for their principles on this subject and they have stood by where they have made their commitments in the past.

The New Democratic Party, of course, with the exception of several members from the current government—Mr Kormos from Welland-Thorold being one of them—said in the last election that they would promise to keep premiums

down and they have said they would restore the right of accident victims to sue, including the present minister. The present minister made that promise. What in fact they have done is that they are now taking away the right to sue from even those who suffer serious and permanent injury for loss of income. They've reversed their position completely.

In fact, as you recall back, I believe, last December, the member for Leeds-Grenville put forward a bill aimed at restoring the full rights of accident victims to sue. At that time, the minister as he then was—I think he was an ordinary member at that time—supported that principle.

Then, of course, he had the opportunity to come into government. I don't like to sit here and attack him personally any more than the member for Leeds-Grenville, but your principles are questionable. You've completely reversed yourself on every position now with respect to this bill; every principle. You've promised a full right to sue; you've taken that away. You've made all kinds of commitments that you've now reversed and it's regrettable that the minister cannot reconsider his position and revoke the bill.

The Acting Speaker: Further questions and/or comments? The honourable Minister of Financial Institutions.

Hon Mr Charlton: I won't personally attack either the member for Leeds-Grenville or the member for Dufferin-Peel, but I will comment on a couple of the substantive matters they've raised in relation to the legislation, because I think that's the important part of what we're here to discuss.

The member for Leeds-Grenville raised the question of withdrawal that is set out in the legislation. He and his colleague, who was interjecting throughout his comments, accused the government of setting up legislation that is going to refuse to allow companies to leave this province when they make decisions to do so and to penalize them if they try, which is patently ridiculous.

The sections on withdrawal in the legislation are designed to ensure that any withdrawal from the marketplace in the province of Ontario is done in an orderly fashion so that policyholders of those companies are protected, their policies are lived up to in terms of the premiums they've paid and penalties are assessed in cases where that doesn't happen.

The industry has had lengthy discussions with us on that matter and we will work out wording that is acceptable in terms of the commercial questions the members refer to, because the industry has said it supports the government's intent in those sections.

On the question of the classification system, which the member for Leeds-Grenville also raised, the industry supports the need to change the classification system. It did not support the way the Liberal government attempted to do it last round. The industry has agreed to work with the government in changing the classification system and eliminating the discrimination in that classification system in an orderly fashion.

The Acting Speaker: We can accommodate one final participant. The honourable member for Willowdale.

Mr Harnick: It's interesting that the minister gets to his feet to tell us about the substantive aspects of this bill.

He talks about companies leaving the province and he talks about classifications.

Hon Mr Charlton: Those were the issues your colleague raised. I was commenting on his speech.

Mr Stockwell: There's dozens more.

Mr Harnick: I can tell you that in the member for Leeds-Grenville's limited comments of half an hour, he spoke about a great deal more than what the minister refers to.

It would seem to me that if the minister wanted to talk about principle, he'd talk about what his bill is doing to innocent accident victims. Yesterday, in probably the most eloquent speech we've heard on this topic, we heard Mr Kormos talk about how this act is going to impact on low-income earners. We heard how the minister's 90% is going to be less than the current 80%. You would think the minister has an opportunity to get on his feet and explain to us how his 90% is in fact worth more than the 80%, which it's not.

We have seen how this impacts on low-income earners. The person making \$30,000 or less is going to get less under this bill than under the Liberal bill. The minister shakes his head. I urge him to go out and buy a calculator, because he's not smart enough and he doesn't have enough fingers and toes to do the arithmetic himself.

Do it. Look at what Mr Kormos said. Mr Kormos gave you an analysis of what was going to happen to low-income earners. You didn't listen to him, but the fact of the matter is, they are going to get less. Don't shake your head. The people you profess to help are going to get less under your bill.

The Acting Speaker: Thank you. I want to remind all the members that interjections are out of order, please. The honourable member for Leeds-Grenville has two minutes in response.

Mr Runciman: This is really a sad commentary on the political process that if we look back in history, and not that far back, we see Mr Rae, now the Premier of this province, Mel Swart, Mr Kormos, the current member for Welland-Thorold, and the publication Mr Rae co-authored—or he was given the title of co-author—something called Highway Robbery, see the emotion that Mr Rae expressed on this issue, that Mr Swart expressed on this issue, what we believe was the sincerity they all expressed on this issue in terms of the right to sue, their genuine caring for innocent accident victims. This is simply not reflected in your legislation.

1720

Forget about government ownership. Let's just talk about innocent accident victims and their access to the courts. This is a complete turnaround, a complete abdication, a complete betrayal of the things that you've stood for, that your leader has stood for, that your party has stood for, and that some very, very solid people like Mr Swart and Mr Kormos have stood for.

Now you and your backbench colleagues are prepared to in some way justify this betrayal of public trust. It just doesn't wash and it's going to come back to haunt you. It's going to come back to haunt all of your colleagues. In fact,

it's impacting negatively on all of us as elected officials. As I said, I regret profoundly that this minister personally is responsible for carrying this legislation through because I think he's better than this. Hopefully, through this process, he's going to bring forward some changes, or it's complete abdication with respect to carrying this bill through, because it's bad news for innocent accident victims in this province.

The Speaker: Thank you. The member's time has elapsed. Further debate on Bill 164.

Mr John Sola (Mississauga East): I'm glad to be able to participate in this debate because, as did both the members for Leeds-Grenville and Welland-Thorold, I sat in on both the previous committees that heard the auto insurance debates around the province, Bill 2 and Bill 68. I must say I'm glad I was on those committees because it emphasizes to me how we have selective memories as far as what went on during those committee hearings is concerned.

I'd like to comment first of all on a comment by the present member for Welland-Thorold when he said that this debate carries with it some real *déjà vu*. I would agree with that except to make this comment about it: when you consider that the member for Welland-Thorold, under the previous government, had a chance to speak for 17 hours on Bill 68, and that this whole caucus, the Liberal caucus on this side of the House, is allocated half an hour more than that member had by himself with the previous government. That is what is called fairness in terms of the comments, usually, by the Premier and the Treasurer from questions raised by this side of the House.

In other words, the member for Welland-Thorold, in the debate on Bill 68, was given 34 times the amount of time that I am allocated in this debate, and to further show the irony of the situation, one thirty-fourth of Peter Kormos' time has been had again because I have been asked to cooperate with the government to allow the minister to make the concluding remarks tonight, if I would share my time with the member for St Catharines so that he could get his remarks on this bill on the record.

I would like to emphasize again the unfairness of the whole situation. If this is such an important debate, take a look at what the key points are on Bill 164. The government states: "We want to see a system of auto insurance that is affordable, fair and universally accessible. Premiums must be stable and predictable. Victims injured in a motor vehicle accident must receive benefits quickly to ensure a complete recovery. Coverage must be complete."

I thought those points were the reason the OMPP was introduced, because I can tell you, in the period from 1987 to 1990 I had lots of queries in my constituency office and my Queen's Park office about the unaffordability of insurance rates. Since OMPP has been introduced, I have had almost none, so I would think that what we wanted to achieve in this province has been achieved by Bill 68.

I would like further to state that from my experience, rates have been stabilized, in many cases rates have been reduced, most consumers are satisfied and definitely auto insurance as a topic has been taken off the front burner.

Was the Liberal plan flawless? Of course not. It deserved some of the criticism both the third party and the governing party have raised towards Bill 68 and which, by the way, the companies themselves have realized, from meeting with them. For instance, there was no indexation of benefits, because one of the purposes of Bill 68 was to stabilize rates and reduce rates. Therefore, we had to make sure that there was predicability in the system.

There was also inadequate protection of small independent business people, but because the OMPP was a completely new system, not practised anywhere in the world but adopting some of the best measures of systems elsewhere, we had to have a trial period during which we would study the effects and then iron out what needed to be ironed out.

There was no definition of "threshold." This was left up to the courts and that created a problem. There was also anxiety for the head-injured, because they were unsure whether they would meet the threshold and they were very definitely afraid of the cap on rehabilitation and long-term care.

But I must say that in my meetings with the auto insurance deliverers, they were looking at solutions to these problems.

At one of the meetings, a person came up with this definition of Bill 164: It's a definition of "a solution in search of a problem." I can underline that in my experience in my constituency office. I have had very few problems with the auto insurance system as it has been implemented by the Liberal government.

Now I want to touch on something else. One of the members, I think the member for Markham, said that the NDP had an agenda and that nothing will stop them from achieving this agenda. I have to partially agree with that comment, but at the same time I have to partially disagree.

They do have an agenda, but it is not the heralded Agenda for People from the 1990 election. It is a hidden agenda, and maybe it is that agenda for power, as we have renamed it on this side of the House, because if you read the Agenda for People, everything about Bill 164 is diametrically opposed to that Agenda for People during the last election. That secret agenda seems to me to be a secret agenda to destroy the province with socialist policies that have not worked elsewhere, for instance Sweden, and with other socialist policies that have been discredited elsewhere, namely, the former USSR, Poland, the former Yugoslavia and others.

1730

I want to get on with some of the other provisions and some of the other things that have been mentioned in various statements by other members of the House; for instance, the penalty that companies have to pay to leave the province. We have heard time and time again that this government is in partnership with the private sector to try to reinvigorate the economy. Then what do they do? They want to promote investment in this province by threatening investing companies with a penalty for not being able to make a go of it in this province after this government changes the rules of the game in midstream. As Mr Tilson, the member for Dufferin-Peel, said, "That's one way of

keeping business in Ontario: Pass a law that they can't leave." They may stay, but I can guarantee you one thing: They will put no new investment in here. That puts a big red stop sign on any new investment by anybody who's not already stuck in Ontario. That is a very unfortunate thing to say on this day and in these trying times.

I would like to go back to the present member for Welland-Thorold when he opened his remarks on this bill. He says:

"This is a remarkable occasion for me, because I'm going to tell you right off the bat, and people who might be listening or might want to listen, I'm not going to speak in support of Bill 164. I tell you without hesitation, with a great deal of sadness,...that I speak against Bill 164 as bad legislation; ill-conceived; yes, poorly written legislation and, most importantly, a complete betrayal, the most cynical of breaches of trust."

He goes on to say, "I can't think of one voter in this province who couldn't have known where the New Democrats stood on auto insurance." Of course, that was their stand on a common pause day, on their opposition to Sunday shopping, on their opposition to gambling, just to mention a few.

One thing I really want to point out is how he can use figures to show exactly how cynical the NDP government is. He states:

"You see, even the Liberal plan permits, by way of wage replacement, 80% of gross income. The impression that somehow 90% should be higher than 80% is not a perverse one to most people, but when is 90% less than 80%?"

When introduced by the NDP government in Bill 164, because 90% is of net income. The 80% from the previous Liberal government was of gross income. He states facts and figures that show to the dollar what the difference is; and it's quite substantial in many cases, exceeding 10% of the total people would receive.

I would like to go on to state something which my colleague and seatmate Mr Cordiano stated when he opened his remarks. He said, "I can't help but stand here and think that what the members on the other side are going through is real pain and suffering." Well, if they were subject to Bill 164, they would not have the advantage of that pain and suffering unless it exceeded that threshold of theirs of \$15,000. That \$15,000 presents a false image to the people of Ontario. It seems to present an image that if your claim is more than \$15,000, that is the amount you will receive. But when you take into consideration that \$15,000 is a deductible, on top of which you have to add legal fees and everything else, you could wind up with a \$30,000 win in court and wind up with out-of-pocket expenses. I think that is a very dangerous precedent to set. It is, again, another example of the cynicism where 90% is less than 80%.

I would like to make some general comments on the behaviour of this NDP government, especially on its attitudes and deportment towards the business community in Ontario. It reminds me a lot of the French Revolution of 1789 and the following reign of terror. I don't think in Ontario today we have a reign of terror, but from the busi-

ness community point of view and from the view of my constituents and most people I have talked to, we certainly have a reign of error.

Every message this government has sent out has backfired. For instance, we have a headline today in the Toronto Sun, "Campaign To Yank NDP Plug," where what is commonly observed to be the constituency of the NDP, organized labour, is now trying to distance itself from this NDP government and its policies. For instance, Linda Leatherdale states: "A 16-year General Motors worker in Oshawa is so fed up with Bob Rae's NDP, he wants his union to pull the financial plug." Alan Clarke is a skilled tradesperson and he is going to present a petition to his Local 222 in Oshawa to get his membership to revoke its financial support of the NDP.

This follows a campaign of 1,000 workers at Budd in Kitchener, members of CAW Local 1451, who voted recently, effective September 14, to stop their monthly payments to the NDP.

I'm saying that when the NDP loses its constituency, it's time it opens its ears to the concerns of the government. Having sat on the previous two committees that heard auto insurance complaints, I know they consistently accused the Liberal government of not listening, yet the Liberal government took into consideration many of the proposals that were put before the committees. It's incumbent on this government to listen to the ordinary Canadian, especially to the ordinary organized union member, so that it gets in line with what the people of this province want.

1740

The Acting Speaker: Questions and/or comments? The honourable member for Willowdale.

Mr Harnick: It's interesting that we have a bill that's taking away the right to claim for economic loss. We have a bill that is making people pay for the right to claim for their pain and suffering in a court; they have to pay \$15,000 so they can claim for their pain and suffering. All of these things are totally contrary to what the NDP promised, totally contrary to the promises that were made, and those promises were made in order to get votes.

In this situation, I would think it would be incumbent on the government to at least have the integrity to say we're going to have full, proper, public hearings and committee hearings during the period that is normally reserved for that process so that all people in Ontario will have the opportunity to be heard, will have the opportunity to consider this piece of legislation.

But this government doesn't have the guts to do that. We're going to meet for a couple of hours on a few afternoons and we're going to try to hustle this through in a way that will not provide the scrutiny of this bill that it deserves. The reason the bill deserves scrutiny is because of the deceitful way the government has changed the promise it made to the people of Ontario.

As I've said before, the reason people are cynical about government is because government makes promises and then it changes its mind after it gets the votes. This minister has had the gall to stand up and tell the people of Ontario that's exactly what he's doing. I can tell you that

the people in Hamilton will not re-elect him, not after this becomes law.

The Acting Speaker: Further questions and/or comments? The honourable member for Dufferin-Peel.

Mr Tilson: It appears that we are coming to the end of this debate, and I must say I find it most unusual for a bill of this stature, particularly when we have now limited the member for Leeds-Grenville and the member for Welland-Thorold to half an hour in speech. They can offer a lot to this House. They can comment on the Liberal bill; they can comment on this bill. The whole subject of debate, as a result of the rules, has now been stifled.

We are now at the end of the debate, it appears, and I am concerned that there will be inadequate time for public hearings to be heard throughout this province. I believe this House has an obligation to hear the concerns of the people of this province on the accidents that have occurred since the Ontario motorist protection plan came into existence. We'll no longer be able to hear all those problems. We won't be able to hear properly from the insurance companies and the lawyers and the insurance brokers and the members of the public who want to come and tell us their concerns with both bills.

My understanding is that we're simply going to have a couple of afternoons from 3 to 5 to talk about it. We're going to go outside for a couple of days to talk about it, out to London and Ottawa. It will probably take half a day to get there. The consultation of this government has come to a dead stop on a bill of this importance, and it's absolutely shameful.

Mr Owens: Baloney.

Mr Tilson: It isn't baloney. Why won't you go out, as for any other important bill, as you would have demanded of the Liberals in this province, for two or three or four weeks to talk on a bill as important as this? You would have demanded it. If the Liberals had done this to you, you would have screamed bloody murder. What are you doing now? A few days, a few afternoons and a few Fridays. I think you ought to be ashamed of yourselves.

The Acting Speaker: Questions and/or comments? The honourable member for Mississauga East has two minutes in response.

Mr Sola: In order to save time, Mr Speaker, I'd like to give that time to my colleague from St Catharines.

Mr Bradley: I appreciate the opportunity at this late hour to be able to share a few thoughts with the members of the Legislature on the issue of automobile insurance and the particular bill that is before the House—a bill, by the way, which frankly has received most of its criticism from those who are members of the New Democratic Party, not necessarily those represented in the House, but those who have attended provincial council.

I was at provincial council in Sudbury last year—I think it was October 4—to attend the 20th anniversary dinner of the Treasurer, the member for Nickel Belt, and many of the people who were at the tables there were discussing the issue of automobile insurance. In fact, in the remarks that I offered in support of the Treasurer I had a chance to mention, in a jocular way, the thoughts that

perhaps some of the New Democrats would have about automobile insurance. Certainly, I detected a feeling in the room that there were a lot of discontented people because the government was not proceeding with its campaign promise, which was to provide public automobile insurance.

It seems to me, as I note some key points about this legislation—I don't want to necessarily get into it in detail right now—but the issue really comes down to how much you're going to pay and what you're going to get for what you pay. Successive governments have had to deal with this. It's not an easy issue to deal with. I think the new government has discovered that. I could be more sympathetic if I didn't know that they had all of the answers just a while ago when in opposition, but I suppose that happens with all parties who sit in opposition.

It's a very difficult issue to deal with because the bottom line amounts to two bottom lines, if you will. You can't allow the premiums to rise too high, and that's when the heat comes on a government. When the premiums get up high, the government starts to become very concerned. So they have two routes to take, in my view. They can go to public automobile insurance, as advocated by the member for Welland-Thorold and the previous member for Welland-Thorold, Mel Swart, and public automobile insurance has some attributes.

However, the other approach that you can take is try to keep the premiums down by limiting the benefits that are going to be derived if a claim is put forward to the insurance company. That's a balancing act that the government has to go through. I'm sure the Minister of Financial Institutions, who has been in this House since 1977 at least—he and I came in at the same time in 1977—would like to see more benefits in this legislation if he could. If he had his number one wish it would be for more benefits out of this legislation for those who would file a claim, but he has to meet with his colleagues in cabinet and he has to meet with others, particularly the Premier's office. We all know how powerful the Premier's office can be. I've heard my friend from Welland-Thorold say that on many occasions and I have no reason to doubt his observations. Obviously the Premier's office has decided and the Premier will implement this particular bill.

I know that the government's difficulty is wrestling with those premiums, because that's what people call you about. Everybody has to pay the premiums but not everybody has to make a claim. So there are a limited number of people who will call their MPPs about claims if they do not feel that they have received justice, but a heck of a lot of people will call if they feel that the justice is not there in the first place because the premiums are too high.

We in the opposition believe that the Ontario motorist protection plan tried to do that. There were critics of it. Some of my friends in the legal profession were beside themselves about what the Liberal government—I'm still getting letters from some of them, as different cases come in, pointing out what they believe to be the deficiencies in the plan of the previous government. I recognize that those in the legal profession are those who deal with this on a daily basis. They see the victims whom they represent. They themselves are part of the system and that's how they

make a living as well, and that's quite legitimate. I understand their feelings when they feel that the government of any day has taken away their right to make money and their right to appropriately defend people who are in difficult circumstances.

But what I'm concerned about is that the government has moved away from a position that it stated clearly over the years and in a campaign. I've always been one in years gone by who thought—and the member for Etobicoke West has chastised me for this on many occasions—that the NDP was going to implement these things they really believed in. I look across at some of the icons of the NDP who sit in the House today, including the Minister of Financial Institutions, people who stood for principle over the years, who saw in their platform, as one of the major planks, automobile insurance that would satisfy the people of this province. We have seen a complete reversal of that policy. That's what this bill really represents, a reversal of that policy.

Yesterday in the House I handed to one of my colleagues a newspaper headline that talked about Premier Rae during an election campaign saying Premier Peterson had lied about automobile insurance. If one would define what Premier Peterson said and then did about automobile insurance as a lie, one would draw some interesting conclusions about what Premier Rae has had to say. The member for Etobicoke West has given me this headline. It says, "Premier Has Lied to the People, Rae Charges."

I remember, by the way, the member for High Park-Swansea—I remember I was walking out the door and she was chastising me for something that the opposition had said in early days in here and I said, "You know, Bob Rae accused David Peterson of lying." She said, "Oh, well, of course he did lie." Case dismissed.

1750

What do you call it when the Premier of this province says he's going to bring in public auto insurance—that means government-run auto insurance—that he's going to restore the right to sue for a variety of reasons, and then he doesn't do it, does exactly the opposite? What conclusion could I draw, except a conclusion that might be found in this headline, one that we're not allowed to say in this House, because we cannot accuse other members of lying? I think that's a good rule to have in this House, by the way, because it brings some decorum to the place.

I heard one of the NDP members, the member for Yorkview, who's now entering the House, say, "Why are you people always quoting everybody else?" The reason we quote Mel Swart and the reason we quote Peter Kormos is that sometimes you expect the opposition to oppose whatever the government does. There's that expectation out there. Indeed, if you observe the news media today as compared to when I first started out in this Legislature, they used to go to people like Bob Mackenzie, the member for Hamilton East, for instance, and interview him after something happened in the House. Today what happens is that they interview the government ministers, then they phone up the interest groups and interview those people, and the opposition is irrelevant. Maybe a government backbencher such as Peter Kormos, the member for

Welland-Thorold, who has something different to say because his own government is in power, gets interviewed, and I think that's—

Interjection.

Mr Bradley: It's an observation I make. That's why, when the member for Yorkview asks, why do we quote these other people—

Mr Mammoliti: It's not what I said.

Mr Bradley: It's because there's an expectation that the opposition will oppose virtually no matter what the government proposes. There is some merit to that observation, because it happens quite frequently.

That's why I think it's important that we talk about the former member for Welland-Thorold, Mel Swart. I've shared many a table with Mel Swart and many discussions with him. I'll let him speak for himself, but I will say this to the members of the Legislature: The views he held when he was in opposition, when he ran for the New Democratic Party, are the same views he holds today.

I could go on at great length, and I've complained about the rules Bob Rae has brought in, but I only intend to speak for another five minutes in this House to permit certain things to happen. That is why I thought I should just share a couple of things that I think are right or wrong about this legislation.

In the legislation, the contention is that all economic losses will be compensated through the statutory accident benefits system. There will no longer be a right to sue for economic loss. This denial of the right to sue for loss of income is a greater restriction than the Liberal government's decision not to permit tort for pain and suffering, which the NDP denounced. I ask how the NDP government can now claim that this is the restoration of the right to sue that it promised.

I would have thought that a party that has a social conscience, that used to be a socialist party—they now call themselves social democrats—would be concerned about the economic loss of people well into the future. They fought for those things over the years. Many of the people who were here and some of the newer people who were elected stood on platforms and fought for people who would suffer economic loss that could not be attributed to anything that was their own fault. They must be disillusioned to see that a piece of legislation now comes forward which denies people that particular opportunity.

I understand why it's done: The concern is about premiums. But even this particular bill will surely result in increased premiums in the province. One scenario I would think about if I were machiavellian is that perhaps the government wants to create a situation where there are high premiums so that it can justify bringing in public auto insurance in the end. I'm not a person who thinks in those terms, but there are those who have contended that's possibly the case.

There is another point I want to dwell on very briefly; I don't know if I can do it as briefly as members would like me to. I will simply indicate that our party and the members of our party have looked very carefully at the legislation and have examined all aspects of it. You have to look

at the total package. You can't just pick out one or two minor items and say, "I don't like that, so I'm voting against the bill." You have to look at what the total package is: Will it increase premiums? Will it restrict people in their right to get economic justice?

I don't think this bill fits that particular description of providing economic justice and of ensuring that premiums are going to be kept at a reasonable rate in this province. That's why I would join my colleagues in opposing this legislation. I'm sure, given a free vote, which I heard the Premier speak of on many occasions, we would have a situation where many of the people over there would vote against it.

One of my colleagues said the member for Welland-Thorold wouldn't vote against it. I suspect he will vote against it, and I don't think he will be kicked out as Chairman of the resources development committee; he's not a person you can kick around that easily. The excuse the government will use will be, "It's justified because he voted for what was long-time NDP policy, so we won't fire him as Chairman of the committee the way we did with Ron Hansen, the member for Lincoln," and so all will be fine with the government.

But I will look forward to seeing the member for Welland-Thorold, who gave a very principled speech, one which he stood for in opposition, one which he stood for in government. It's one of the reasons he lost his seat in the cabinet.

Interjections.

The Acting Speaker: Order. The member for St Catharines has the floor.

Mr Bradley: This contention that the member for Welland-Thorold, who opposes this legislation, was put out of the cabinet because he was a Sunshine Boy in the Sun, fully dressed, is nonsense, in my view. The reason is that he stood for certain things the government didn't stand for. He knew what was coming up. I think he could see the flip-flop on Sunday shopping, I think he could see the flip-flop on automobile insurance, and because he wanted to maintain his NDP and older CCF principles, he was prepared to relinquish his seat when the Premier gave him an ultimatum, and therefore he made his point.

He's made the point as well as anybody over here could, and that's why I need not go on for my full allocated time of only 30 minutes. I wish I could have given my full time to the member for Welland-Thorold, who was restricted to 30 minutes to speak on this legislation, so he'd have a full opportunity to canvass all opinions on this matter.

To members of the Legislature, I urge the members of the government who have a conscience on this issue to join the opposition in opposing it. If you do so, you'll have gained the respect of the people of the province of Ontario.

The Acting Speaker: Questions and/or comments? The honourable member for Brampton South.

Mr Callahan: I just want to comment very quickly on something the member from St Catharines said. I too urge the people on the opposite side in government to follow the Premier's directive—I'm sure the Premier has told you this is a free vote, has he not? I would hope so—and that

you people over there would vote your conscience, vote your party's policies, vote for what your constituents are telling you. I'm waiting to see, as I think all of Ontario is as well as this side of the House, whether or not you're going to stand up in the usual fashion, joined at the hip, and support a policy you can't support in conscience, or it is just going to be the member for Welland-Thorold who will vote against it, simply for the reasons the member for St Catharines has indicated and I've indicated. In fact, I've got bets that he won't vote against it. However, he might, and when you think about it, it's probably good strategy by the Premier to say, "All right, Peter, you can vote against it, and the reason you can vote against it is because the people of Ontario are not stupid. They're going to realize that you spoke at great length in a filibuster about this, and to have you now vote with the government would prove the fact that the people in the government of the day are mindless," that they don't make decisions based on what's good for their constituents, they make decisions based on what the Premier, four cabinet ministers and about six unelected spin doctors in the back hall say is important, in terms of keeping you people in power.

I think the day of reckoning is coming. The people will look at it and they'll see Peter Kormos maybe vote against it, and I think the member for St Catharines is right: that would be good strategy. But the rest of you people will mindlessly stand up and say you support this, and I think that as Mel Swart sits there watching the count, if he in fact tunes in—he probably won't tune in, because he knows how this place works, and he knows that there will be nobody who will have the guts to stand up on the government side to support what in fact is NDP policy.

The Acting Speaker: Thank you. Further questions and/or comments? Seeing none, the honourable member for St Catharines is forgoing his time. Further debate? Would the Minister of Financial Institutions have some summation remarks?

1800

Hon Mr Charlton: I had hoped to have a few minutes to make a few remarks and, obviously, I haven't got very many but I'll make a couple of quick ones. I would have liked to have addressed the issue the member for Willowdale raised about public hearings, but I think in light of the time, it's more important that I deal with the issues of the legislation itself.

A number of members have raised the issue of 80% of gross versus 90% of net, and it is correct that there are occasions when 90% of net is less than 80% of gross. It is also interesting to note, though, in the tradition of this debate and those who have been an important part of this debate, people keep referring to the member for Welland-Thorold and to the impassioned speeches of the member for Willowdale and those people who get seriously injured in accidents, their bodies broken, their futures stolen—

Mr Tilson: I've got news for you; that's what happens.

Hon Mr Charlton: The package that we've delivered here, as the member for St Catharines says, has to be viewed as a package and the benefits understood as a package, and 90% of net indexed for life delivers a significantly better

benefit to those seriously disabled people than anything in Bill 68 would ever deliver, because it was unindexed.

We've addressed these people who are broken, who've had their futures stolen, who these members like to talk about, and—

Mr Harnick: You've taken away their economic rights. How have you addressed their problems?

The Acting Speaker: Order, please. The minister has the floor.

Hon Mr Charlton: We've also had the issue here raised of the cost of this package. The member for St Catharines raised the question of premiums, and it is an important consideration. The member for Leeds-Grenville talked about the Mercer report and roughly 4% increase in costs.

We have an insurance system out there that unfortunately is significantly overpriced because of decisions that the previous government made, an overpriced system where on average policies are overpriced by about \$125.

The Acting Speaker: Order. We are getting very, very close to the normal closing hour. Does the minister have a long time to go yet?

Hon Mr Charlton: I'll wrap up by saying that I will deliver the commitment I made. Premiums have already been reduced in this province. This package will not cost the policyholders of this province any additional dollars.

The Acting Speaker: Mr Charlton has moved second reading of Bill 164. Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

I have a message from the chief government whip to the Speaker of the Legislative Assembly, dated Thursday, October 8, 1992. It reads as follows:

Pursuant to standing order 27(g), I request that the vote on the motion by the Honourable Brian Charlton for second reading of Bill 164, An Act to amend the Insurance Act and certain other Acts in respect of Automobile Insurance and other Insurance Matters, be deferred until immediately following routine proceedings on Tuesday, October 13, 1992.

This will therefore be the case.

BUSINESS OF THE HOUSE

Hon Shirley Coppen (Minister without Portfolio): I would like to read the business for next week. Pursuant to standing order 53, I would like to indicate that business.

On Tuesday, October 13, we will have second and third reading of Bill 68, the Ontario university foundations. Following that, we will deal with government notice of motion number 15 to extend the hours of the House, followed by government notice of motion number 16, that this House consider the Charlottetown accord.

On Wednesday, October 14, we will continue our consideration of the Charlottetown accord.

On the morning of Thursday, October 15, the House will conclude consideration of the accord during the time normally reserved for private members' public business. In the afternoon of October 15, the House will consider an opposition day motion standing in the name of Mrs McLeod.

The Acting Speaker (Mr Noble Villeneuve): It now being past 6 of the clock, this House stands adjourned until Tuesday, October 13, at 1:30 of the clock.

The House adjourned at 1806.

ERRATUM

No.	Page	Column	Line	Should read:
63	2522	1	33	I have received some comments from Bill Karda

**LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor/Lieutenant-gouverneur: Lt Col The Hon/L'hon Henry N. R. Jackman CM, KStJ, BA, LLB, LLD

Speaker/Président: Hon/L'hon David Warner

Clerk/Greffier: Claude L. DesRosiers

Clerk Assistant and Clerk of Committees/Greffier adjoint et Greffier des comités: Smirle Forsyth

Clerk Assistant and Clerk of Journals/Greffier adjoint et Greffier des journaux: Alex D. McFedries

Sergeant at Arms/Sergent d'armes: Thomas Stelling

Constituency	Name of member	Party	Other responsibilities
Algoma	Wildman, Hon/L'hon Bud	ND	Minister of Natural Resources, minister responsible for native affairs/ministre des Richesses naturelles, ministre délégué aux Affaires autochtones
Algoma-Manitoulin	Brown, Michael A.	L	Chair, standing committee on general government/ Président du Comité permanent des affaires gouvernementales
Beaches-Woodbine	Lankin, Hon/L'hon Frances	ND	Minister of Health, minister responsible for the substance abuse strategy/ministre de la Santé, ministre responsable de la Stratégie de prévention de la toxicomanie
Brampton North/-Nord	McClelland, Carman	L	Vice-Chair, standing committee on general government/ Vice-Président du Comité permanent des affaires gouvernementales
Brampton South/-Sud	Callahan, Robert V.	L	
Brant-Haldimand	Eddy, Ron	L	
Brantford	Ward, Brad	ND	parliamentary assistant to Minister of Industry, Trade and Technology/adjoint parlementaire du ministre de l'Industrie, du Commerce et de la Technologie
Bruce	Elston, Murray J.	L	opposition House leader/ chef parlementaire de l'opposition
Burlington South/-Sud	Jackson, Cameron	PC	Chair, standing committee on estimates/ Président du Comité permanent des budgets des dépenses
Cambridge	Farnan, Mike	ND	Vice-Chair, standing committee on the Legislative Assembly/ Vice-Président du Comité permanent de l'Assemblée législative
Carleton	Sterling, Norman W.	PC	
Carleton East/-Est	Morin, Gilles E.	L	Deputy Speaker and Chair of the Committee of the Whole House/ Vice-Président et Président du Comité plénier de l'Assemblée législative
Chatham-Kent	Hope, Randy R.	ND	parliamentary assistant to Minister of Community and Social Services/adjoint parlementaire du ministre des Services sociaux et communautaires
Cochrane North/-Nord	Wood, Len	ND	parliamentary assistant to Minister of Natural Resources/ adjoint parlementaire du ministre des Richesses naturelles
Cochrane South/-Sud	Bisson, Gilles	ND	parliamentary assistant to Minister of Northern Development and Mines, parliamentary assistant to minister responsible for francophone affairs/adjoint parlementaire de la ministre du Développement du Nord et des Mines, adjoint parlementaire du ministre délégué aux Affaires francophones
Cornwall	Cleary, John C.	L	
Don Mills	Ward, Margery	ND	parliamentary assistant to Minister of Government Services/ adjointe parlementaire du ministre des Services gouvernementaux
Dovercourt	Silipo, Hon/L'hon Tony	ND	Minister of Education/ministre de l'Éducation
Downsview	Perruzza, Anthony	ND	parliamentary assistant to minister responsible for the greater Toronto area/adjoint parlementaire de la ministre responsable du Bureau de la région du grand Toronto
Dufferin-Peel	Tilson, David	PC	
Durham Centre/-Centre	White, Drummond	ND	Chair, standing committee on regulations and private bills/ Président du Comité permanent des règlements et des projets de loi privés
Durham East/-Est	Mills, Gord	ND	parliamentary assistant to Minister of Municipal Affairs/ adjoint parlementaire du ministre des Affaires municipales
Durham West/-Ouest	Wiseman, Jim	ND	parliamentary assistant to Minister of Revenue/ adjoint parlementaire de la ministre du Revenu
Durham-York	O'Connor, Lawrence	ND	parliamentary assistant to minister responsible for the substance abuse strategy/adjoint parlementaire de la ministre responsable de la Stratégie de prévention de la toxicomanie
Eglinton	Poole, Dianne	L	
Elgin	North, Hon/L'hon Peter	ND	Minister of Tourism and Recreation/ ministre du Tourisme et des Loisirs
Essex-Kent	Hayes, Pat	ND	parliamentary assistant to Minister of Agriculture and Food/ adjoint parlementaire du ministre de l'Agriculture et de l'Alimentation
Essex South/-Sud	Mancini, Remo	L	Chair, standing committee on public accounts/ Président du Comité permanent des comptes publics

Constituency	Name of member	Party	Other responsibilities
Etobicoke-Lakeshore	Grier, Hon/L'hon Ruth A.	ND	Minister of the Environment, minister responsible for the greater Toronto area/ministre de l'Environnement, ministre responsable du Bureau de la région du grand Toronto
Etobicoke-Humber	Henderson, D. James	L	
Etobicoke-Rexdale	Philip, Hon/L'hon Ed	ND	Minister of Industry, Trade and Technology/ ministre de l'Industrie, du Commerce et de la Technologie
Etobicoke West/-Ouest	Stockwell, Chris	PC	
Fort William	McLeod, Lyn	L	Leader of the Opposition/chef de l'opposition
Fort York	Marchese, Rosario	ND	parliamentary assistant to the Premier, parliamentary assistant to Minister of Intergovernmental Affairs/adjoint parlementaire du premier ministre, adjoint parlementaire du ministre des Affaires intergouvernementales
Frontenac-Addington	Wilson, Hon/L'hon Fred	ND	Minister of Government Services/ ministre des Services gouvernementaux
Grey	Murdoch, Bill	PC	
Guelph	Fletcher, Derek	ND	parliamentary assistant to Minister of Consumer and Commercial Relations/adjoint parlementaire de la ministre de la Consommation et du Commerce
Halton Centre/-Centre	Sullivan, Barbara	L	
Halton North/-Nord	Duignan, Noel	ND	Chair, standing committee on the Legislative Assembly/ Président du Comité permanent de l'Assemblée législative
Hamilton Centre/-Centre	Christopherson, Hon/L'hon David	ND	Minister of Correctional Services/ministre des Services correctionnels
Hamilton East/-Est	Mackenzie, Hon/L'hon Bob	ND	Minister of Labour/ministre du Travail
Hamilton Mountain	Charlton, Hon/L'hon Brian	ND	Minister of Financial Institutions, Minister of Energy/ ministre des Institutions financières, ministre de l'Énergie
Hamilton West/-Ouest	Allen, Hon/L'hon Richard	ND	Minister of Colleges and Universities, Minister of Skills Development/ministre des Collèges et Universités, ministre de la Formation professionnelle
Hastings-Peterborough	Buchanan, Hon/L'hon Elmer	ND	Minister of Agriculture and Food/ ministre de l'Agriculture et de l'Alimentation
High Park-Swansea	Ziemba, Hon/L'hon Elaine	ND	Minister of Citizenship, minister responsible for human rights, disability issues, seniors' issues and race relations/ministre des Affaires civiques, ministre déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales
Huron	Klopp, Paul	ND	parliamentary assistant to Minister of Agriculture and Food/ adjoint parlementaire du ministre de l'Agriculture et de l'Alimentation
Kenora	Miclash, Frank	L	opposition deputy whip/whip adjoint de l'opposition
Kingston and The Islands/ Kingston et Les Îles	Wilson, Gary	ND	parliamentary assistant to Minister for Skills Development/ adjoint parlementaire du ministre de la Formation professionnelle
Kitchener	Ferguson, Will	ND	parliamentary assistant to Minister of Transportation/ adjoint parlementaire du ministre des Transports
Kitchener-Wilmot	Cooper, Mike	ND	parliamentary assistant to the Solicitor General; deputy government whip; Chair, standing committee on administration of justice/ adjoint parlementaire du Solliciteur général, whip adjoint du gouvernement, Président du Comité permanent de l'administration de la justice
Lake Nipigon/Lac-Nipigon	Pouliot, Hon/L'hon Gilles	ND	Minister of Transportation, minister responsible for francophone affairs/ministre des Transports, ministre délégué aux Affaires francophones
Lambton	MacKinnon, Ellen	ND	Vice-Chair, standing committee on regulations and private bills/ Vice-Présidente du Comité permanent des règlements et des projets de loi privés
Lanark-Renfrew	Jordan, W. Leo	PC	
Lawrence	Cordiano, Joseph	L	Vice-Chair, standing committee on public accounts/ Vice-Président du Comité permanent des comptes publics
Leeds-Grenville	Runciman, Robert W.	PC	Chair, standing committee on government agencies/ Président du Comité permanent des organismes gouvernementaux
Lincoln	Hansen, Ron	ND	Chair, standing committee on finance and economic affairs/ Président du Comité permanent des finances et des affaires économiques
London Centre/-Centre	Boyd, Hon/L'hon Marion	ND	Minister of Community and Social Services, minister responsible for women's issues/ministre des Services sociaux et communautaires, ministre déléguée à la Condition féminine
London North/-Nord	Cunningham, Dianne	PC	Progressive Conservative chief whip/ whip en chef du Parti progressiste-conservateur
London South/-Sud	Winninger, David	ND	parliamentary assistant to the Attorney General, parliamentary assistant to minister responsible for native affairs/ adjoint parlementaire du Procureur général, adjoint parlementaire du ministre délégué aux Affaires autochtones

Constituency	Name of member	Party	Other responsibilities
Markham	Cousens, W. Donald	PC	Progressive Conservative deputy House leader/ chef parlementaire adjoint du Parti progressiste-conservateur parliamentary assistant to Minister of the Environment/ adjointe parlementaire de la ministre de l'Environnement
Middlesex	Mathysen, Irene	ND	
Mississauga East/-Est	Sola, John	L	
Mississauga North/-Nord	Offer, Steven	L	Vice-Chair, standing committee on estimates/ Vice-Présidente du Comité permanent des budgets des dépenses opposition chief whip/whip en chef de l'opposition parliamentary assistant to Minister of Tourism and Recreation/ adjoint parlementaire du ministre du Tourisme et des Loisirs
Mississauga South/-Sud	Marland, Margaret	PC	
Mississauga West/-Ouest	Mahoney, Steven W.	L	
Muskoka-Georgian Bay	Waters, Daniel	ND	Vice-Chair, standing committee on social development/ Vice-Président du Comité permanent des affaires sociales parliamentary assistant to Minister of Housing/ adjointe parlementaire de la ministre du Logement Minister without Portfolio, chief government whip/ ministre sans portefeuille, whip en chef du gouvernement Deputy Premier, Treasurer of Ontario and Minister of Economics/ vice-premier ministre, Trésorier de l'Ontario et ministre de l'Économie
Nepean	Daigeler, Hans	L	
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Norfolk	Jamison, Norm	ND	Solicitor General/Solliciteur général Minister of Housing/ministre du Logement parliamentary assistant to Minister of Colleges and Universities; Vice-Chair, standing committee on finance and economic affairs/ Vice-Président du Comité permanent des finances et des affaires économiques, adjoint parlementaire du ministre des Collèges et Universités
Northumberland	Fawcett, Joan M.	L	
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Oshawa	Pilkey, Hon/L'hon Allan	ND	
Ottawa Centre/-Centre	Gigantes, Hon/L'hon Evelyn	ND	
Ottawa East/-Est	Grandmaître, Bernard C.	L	
Ottawa-Rideau	O'Neill, Yvonne	L	
Ottawa South/-Sud	McGuinty, Dalton J.P.	L	
Ottawa West/-Ouest	Chiarelli, Robert	L	
Oxford	Sutherland, Kimble	ND	
Parkdale	Ruprecht, Tony	L	Progressive Conservative House leader/ chef parlementaire du Parti progressiste-conservateur Minister of Culture and Communications/ ministre de la Culture et des Communications parliamentary assistant to Minister of Citizenship/ adjointe parlementaire de la ministre des Affaires civiles Minister of Revenue/ministre du Revenu
Parry Sound	Eves, Ernie	PC	
Perth	Haslam, Hon/L'hon Karen	ND	
Peterborough	Carter, Jenny	ND	parliamentary assistant to the Treasurer of Ontario and Minister of Economics/adjoint parlementaire du Trésorier de l'Ontario et du ministre de l'Économie
Port Arthur	Wark-Martyn, Hon/L'hon Shelley	ND	
Prescott and Russell/ Prescott et Russell	Poirier, Jean	L	
Prince Edward-Lennox-South Hastings/ Prince-Edward- Lennox-Hastings-Sud	Johnson, Paul R.	ND	Attorney General/Procureur général Deputy Leader of the Opposition/chef adjoint de l'opposition Minister of Consumer and Commercial Relations/ ministre de la Consommation et du Commerce Second Deputy Chair of the Committee of the Whole House/ Deuxième Vice-Président du Comité plénier de l'Assemblée législative parliamentary assistant to the Premier/adjoint parlementaire du premier ministre opposition deputy House leader/chef parlementaire de l'opposition government whip; Vice-Chair, standing committee on the Ombudsman/ whip du gouvernement, Vice-Présidente du Comité permanent de l'ombudsman
Quinte	O'Neil, Hugh P.	L	
Rainy River	Hampton, Hon/L'hon Howard	ND	
Renfrew North/-Nord	Conway, Sean G.	L	
Riverdale	Churley, Hon/L'hon Marilyn	ND	
S-D-G & East Grenville/ S.-D.-G. & Grenville-Est	Villeneuve, Noble	PC	
St Andrew-St Patrick	Akande, Zanana	ND	
St Catharines	Bradley, James J.	L	
St. Catharines-Brock	Haeck, Christel	ND	
St. George-St. David	Vacant		

Constituency	Name of member	Party	Other responsibilities
Sarnia	Huget, Bob	ND	parliamentary assistant to Minister of Energy; Vice-Chair, standing committee on resources development/ adjoint parlementaire du ministre de l'Énergie, Vice-Président du Comité permanent du développement des ressources
Sault Ste Marie/ Sault-Sainte-Marie	Martin, Tony	ND	parliamentary assistant to Minister of Education/ adjoint parlementaire du ministre de l'Éducation
Scarborough-Agincourt	Phillips, Gerry	L	
Scarborough Centre/-Centre	Owens, Stephen	ND	parliamentary assistant to Minister of Financial Institutions/ adjoint parlementaire du ministre des Institutions financières
Scarborough East/-Est	Frankford, Robert	ND	
Scarborough-Ellesmere	Warner, Hon/L'hon David	ND	Speaker/Président
Scarborough North/-Nord	Curling, Alvin	L	opposition deputy whip/whip adjoint de l'opposition
Scarborough West/-Ouest	Swarbrick, Anne	ND	
Simcoe Centre/-Centre	Wessenger, Paul	ND	parliamentary assistant to Minister of Health/ adjoint parlementaire de la ministre de la Santé
Simcoe East/-Est	McLean, Allan K.	PC	Vice-Chair, standing committee on government agencies/ Vice-Président du Comité permanent des organismes gouvernementaux
Simcoe West/-Ouest	Wilson, Jim	PC	
Sudbury	Murdock, Sharon	ND	parliamentary assistant to Minister of Labour/ adjointe parlementaire du ministre du Travail
Sudbury East/-Est	Martel, Hon/L'hon Shelley	ND	Minister of Northern Development and Mines/ ministre du Développement du Nord et des Mines
Timiskaming	Ramsay, David	L	
Victoria-Haliburton	Drainville, Dennis	ND	First Deputy Chair of the Committee of the Whole House/ Premier Vice-Président du Comité plénier de l'Assemblée législative
Waterloo North/-Nord	Witmer, Elizabeth	PC	
Welland-Thorold	Kormos, Peter	ND	Chair, standing committee on resources development/ Président du Comité permanent du développement des ressources
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Wentworth East/-Est	Morrow, Mark	ND	Chair, standing committee on the Ombudsman; Vice-Chair, standing committee on administration of justice/ Président du Comité permanent de l'ombudsman, Vice-Président du Comité permanent de l'administration de la justice
Wentworth North/-Nord	Abel, Donald	ND	government whip/whip du gouvernement
Willowdale	Harnick, Charles	PC	
Wilson Heights	Kwinter, Monte	L	
Windsor-Riverside	Cooke, Hon/L'hon David	ND	Minister of Municipal Affairs, Chair of the Management Board of Cabinet and government House leader/ministre des Affaires municipales, président du Conseil de gestion du gouvernement, et chef parlementaire du gouvernement
Windsor-Sandwich	Dadamo, George	ND	parliamentary assistant to Minister of Culture and Communications/ adjoint parlementaire de la ministre de la Culture et des Communications
Windsor-Walkerville	Lessard, Wayne	ND	parliamentary assistant to Chair of the Management Board of Cabinet/adjoint parlementaire du président du Conseil de gestion du gouvernement
York Centre/-Centre	Sorbara, Gregory S.	L	
York East/-Est	Malkowski, Gary	ND	parliamentary assistant to Minister of Citizenship/ adjoint parlementaire de la ministre des Affaires civiques
York Mills	Turnbull, David	PC	Progressive Conservative whip/whip du Parti progressiste- conservateur
York North/-Nord	Beer, Charles	L	Chair, standing committee on social development/ Président du Comité permanent des affaires sociales
York South/-Sud	Rae, Hon/L'hon Bob	ND	Premier, President of the Executive Council, Minister of Intergovernmental Affairs/premier ministre, président du Conseil des ministres, ministre des Affaires gouvernementales
Yorkview	Mammoliti, George	ND	parliamentary assistant to Minister of Correctional Services/ adjoint parlementaire du ministre des Services correctionnels

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Irene Mathysen, Yvonne O'Neill, Stephen Owens, Drummond White,
Gary Wilson, Jim Wilson, Elizabeth Witmer
Clerk/Greffière: Lynn Mellor

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Legislative Assembly of Ontario

Second Session, 35th Parliament

Assemblée législative de l'Ontario

Deuxième session, 35^e législature

Official Report of Debates (Hansard)

Tuesday 13 October 1992

Journal des débats (Hansard)

Mardi 13 octobre 1992

Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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Renseignements sur l'Index

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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 13 October 1992

The House met at 1332.

Prayers.

MEMBERS' STATEMENTS

DONALD HILLOCK

Mr Charles Beer (York North): On October 31 Donald Hillock will retire as chief of the York region police force. Chief Hillock commenced his long and distinguished career in October 1960 as a cadet with the town of Aurora police force. Throughout his career, he held various positions with the York region police force, including responsibility for criminal investigations and, for six years, as deputy chief. On February 1, 1986, he was appointed chief of police for York region.

Chief Hillock leaves a legacy of compassion and humanity. Under his direction, officers were encouraged to get to know their community. There is a special emphasis in York region on community policing, which Chief Hillock firmly believes in. He served with integrity and good humour and, perhaps most important, loyalty to the officers who served with him. In particular, I recall on several occasions going with Chief Hillock to visit officers who were injured in the line of duty. He really cared about his people.

In 1990 Chief Hillock was inducted into the Hall of Fame of the Ontario Special Olympics after serving as chairperson of the law enforcement torch run for five years. He is also the immediate past president of the Ontario Association of Chiefs of Police.

On behalf of the people of York region, I would like to wish Chief Donald Hillock best wishes for his retirement. I understand he plans to relax, travel and even try to learn how to play golf. Good luck and thank you for your outstanding contribution and commitment to our community.

ONTARIO HOME RENEWAL PROGRAM

Mrs Margaret Marland (Mississauga South): In August during the review of the Housing ministry's estimates, I asked the minister why the estimates showed funding to the Ontario home renewal program for disabled persons decreasing by \$4 million. The explanatory notes said that the funding "was provided under the 1991-92 anti-recession program and is not required in 1992-93," even though the program has been in existence since 1987, long before the anti-recession program was created.

The minister responded that she had just allocated \$15 million from Jobs Ontario Capital to fund the program for the next two years. While I applaud this funding decision, the government should give the program permanent funding so that its future does not depend on short-term, make-work, capital funding programs.

For the past three years I've had to ask whether this program will continue to be funded. In 1990 the Liberal government's Housing estimates showed that the program was being cancelled. The NDP provided a short-term

rescue under the anti-recession program and again under the Jobs Ontario Capital program.

The Ontario home renewal program for disabled persons provides loans to home owners who are modifying their homes to increase accessibility for a disabled family member. It has a waiting list of 700 applicants and a waiting period of three years. Hopefully, this new funding will reduce the wait. I hope that in two years I will not have to stand up in this House again and plead for continued funding of this successful and necessary program.

HIGHWAY NOISE BARRIERS

Mr Robert Frankford (Scarborough East): Highway transportation is an important component of economic life in the province. It's an unfortunate fact that highways present hazards and far too many deaths keep occurring. There are also problems for people whose homes are close to highways. Highway 401 forms the northern boundary of my riding and there are residential areas where the nearby traffic has affected the quality of life. Noise causes constant stress and there is also the potential of such things as hearing problems and respiratory disease.

I note from reading Hansard that other nearby ridings have the same problems and that the case for barriers has been made here. When I drive along the 401 I notice how some areas have been able to have barriers constructed.

The area around Ponymeadow Terrace in Scarborough East is where there have been the most complaints for me and local residents have been seeking improvements for years. I'm pleased to report that some progress has been made and that in response to suggestions the Ministry of Transportation has agreed to deposit excess soil from nearby road construction to form a berm.

Although the technical advice is that the reduction in decibels will be modest, we feel that this has the potential for further improvements with the encouragement of natural botanical growth to cut down on noise further and perhaps also to improve the local microclimate.

One of the most major and measurable problems related to cars is the effect on air quality. It is vital that any road construction takes account of environmental impact. I would like to commend the Ministry of Transportation for its response to local concerns in this case and look forward to improvement of all busy arteries.

ONTARIO YOUNG TRAVELLERS PROGRAM

Mr Frank Miclash (Kenora): As we look in the galleries today, we see young people visiting the Legislature. These are probably young people who are from within the area of Toronto, but there's a program in northern Ontario that helps students come from northern Ontario to visit us here at the Legislature and visit Toronto and the surrounding area. It's called the Ontario young travellers program.

I must say it's a program which allows them a learning experience not often experienced by many of our young people in northern Ontario. It's a program offered to

grade 8 students who travel down here for that educational experience.

There is a problem, however. This year, now that school has been in for six weeks, the schools do not know whether this program is going to be offered to them. I hope that the Treasurer, the Minister of Education and those six ministers from the north are listening today because the trustees, the students, the administrators and the teachers want to know what's going to happen to this, a very important program to us in the north.

The students must get on with fund-raising. As we know, the program only offers a portion of the moneys that are needed to get down here to southern Ontario and the students want to know whether they should get on with their fund-raising projects, how they will raise that money, their personal moneys and those raised by the students as a whole. Flights must be booked and the study groups must be organized in order that students can come down here and know what they're looking at.

What I'm looking for today is a yes or a no from this government so that these students can get on. Whether it be a yes or no, that will be for another day, but we must have a decision on this need today.

CONSERVATION OFFICERS

Mr Bill Murdoch (Grey): Last week I advised the Minister of Natural Resources that because of the restrictions being placed on conservation officers, proper game and fish management will soon become a thing of the past. I warned him that without protection for our fish and wildlife, harvests will no longer be regulated and species will decline or may become extinct.

The minister said that the facts have not been reported correctly, that officers will continue to respond to emergencies and other situations which will require immediate attention. He also maintained that he is determined to put an end to poaching in this province.

If the minister is so concerned about poaching and if the minister really feels that his officers should be enforcing our game and fish laws on evenings and weekends, why does his ministry make it impossible for them to do so?

Anyone calling the MNR office in Owen Sound on a weekend will have to wait until Monday morning for an answer, as there is no night line, no one in the office to take the call and no message service. What is the point of having officers ready to answer an emergency when no one can find them when the emergency arises?

The minister likes to pretend that our wildlife is not in danger and that commercial poachers will not thrive, but I've seen nothing which will convince me of this and neither have the concerned citizens of my riding in Grey.

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CANADIAN CITIZENSHIP

Mr George Mammoliti (Yorkview): Although it is not necessarily a provincial matter, I feel that we as MPPs should be aware that it is very difficult for many of the residents living in our communities to become Canadian citizens.

I represent the riding of Yorkview, in which many of the residents are immigrants, hoping to become Canadians. I encourage this and have gone so far as to offer citizenship classes in my riding office for anyone who is interested. For some, becoming a citizen is easy. However, for those who have come to Canada to escape persecution in their homeland, becoming a Canadian is a matter of life and death.

A resident of my riding of Yorkview, Mr Gobin Singh, is one such individual. He first came to Canada in 1988 with the hope that he and his family would not be beaten and harassed because of their political views. Though a teacher by profession, Mr Singh has found work as an assistant maintenance manager in order to support his family. He's very active in his church and the community. Mr Singh faces deportation. His request for citizenship has been denied. Upon his return to his homeland, he knows he will be killed. I have written to the federal Minister of Employment and Immigration but have not had a response.

I ask the members of this House to simply be aware of the plight of all those like Gobin Singh and, when appropriate, to take action to help them.

INVESTMENT FUND

Mr James J. Bradley (St Catharines): I am continuing to receive from a number of constituents letters on a very important subject. One of the letters which I quoted previously says:

"I am writing to express my concerns regarding the government's proposed Ontario Investment Fund Act. As a member of the Ontario municipal employees retirement system, I rely heavily on the performance of the plan to provide me with a secure pension that will see me through my retirement. I am appalled to learn that my provincial government is planning a scheme that could very well affect the security of my retirement savings."

All those of us in the opposition agree. A preliminary view of the government's proposal does little to alleviate our concerns regarding the OIF. According to the NDP, the fund's objective is to invest in value added industries and foster deeper links between capital markets and business. We believe the primary objective of any pension fund should be to protect and build upon the hard-earned pensions of the employees.

We're also concerned that the government's objectives for the fund do not place the appropriate emphasis on a market rate of return on investment. Instead the NDP intends to introduce complex social objectives into the investment decisions of fund managers. The potential result of this proposal is a fund which places the retirement savings of countless public servants in jeopardy.

My colleagues and I in the Liberal caucus will vigorously scrutinize the OIF proposals, and I encourage people across the province to do the same and to bring their concerns with respect to the OIF to the attention of the Treasurer of the province of Ontario.

RETAIL SALES TAX

Mr Allan K. McLean (Simcoe East): I direct my statement to the Treasurer. On October 1 the retail sales tax

on the purchase of used vehicles came into effect. I've had a lot of letters with regard to that very issue since that tax was brought in. A letter from an Alex Hunter says:

"I am writing to protest the Ontario government's latest tax against the poor: namely, the scheme to collect sales tax on the so-called book value of used cars. The 'book value' is considerably more than anyone pays for a used vehicle, but that's not all. Two cars of the same make and year don't sell for the same money."

I had a call last week from one of the reporters on the Midland paper. He bought a car for \$80, a 1978 model that he and his friend wanted to make into a stock car. To get the licence transferred at the licence bureau, it cost him \$240 sales tax for that transfer. The book value of that vehicle was \$3,000. This is nothing but a ripoff for a lot of these cars that are being sold.

What about the cars that are transferred within the family? It's once in 12 months that that's allowed to happen, but the book value of that may be different from what the value is on the car. It's nothing but a used car ripoff for the taxpayers of this province.

AURORA LODGE SOCCER TEAM

Mr Mike Farnan (Cambridge): I rise today to pay tribute to the Aurora Lodge soccer team of Cambridge. The Aurora Lodge soccer team has had an outstanding season which has culminated in its being recognized as the Cambridge team of the year. Cambridge, no doubt, is very well represented in all sports.

This particular club not only made it to the Ontario championship, but what is very important is it lays such emphasis on the reasons why it made it there. The reason they attributed this success to is the fact that the schools are contributing to soccer and the universities are contributing to the soccer programs. Indeed, the Cambridge minor soccer program is one of the most pre-eminent of the minor soccer associations across this province.

The people of Cambridge are proud of this fine club that has represented our community so well, and we are proud of the up-and-coming stars of Cambridge who will continue this great tradition. I'm sure all the members of this House will join me when I salute the Aurora Lodge Soccer Club of Cambridge.

ORAL QUESTIONS

UNEMPLOYMENT

Mr Gerry Phillips (Scarborough-Agincourt): My question is to the Treasurer. The Treasurer will know that on Friday the unemployed people of Ontario, in fact all the people of Ontario, received more bad news. As you know, Treasurer, the unemployment numbers came out, and for the information of the people of Ontario the unemployment rate went down in every single province in Canada except Ontario. In the month of August, you will remember that Ontario's unemployment rate rose and that the rest of Canada's unemployment rate dropped. There were, I think, 555,000 people unemployed over Thanksgiving.

My question to you is this, Treasurer: How do you explain to the people of Ontario, when Ontario's economy was supposed to be in recovery now, why Ontario's unem-

ployment rate continues to deteriorate while the rest of Canada's unemployment rate gets better? Why is that different?

Interjection: It's a good question.

Hon Floyd Laughren (Treasurer and Minister of Economics): Yes, it is a good question. It is no secret, and I've been saying, certainly for the last couple of years, that the recession has hit Ontario harder than any other province in this country. That is no secret to anybody. Ontario is the manufacturing heartland of this country and it's also no secret that manufacturing has been hard hit in this recession.

There are a number of reasons why Ontario has been harder hit than other provinces and that includes the fact that our manufacturing base is here, and, let's not kid each other either, that the free trade agreement has not helped the manufacturing sector in this province. As well, global competition itself is having an impact.

I think, in conclusion, the recession has hit Ontario harder than any other province, and while I'm not happy with the unemployment numbers—how could any of us be happy with them?—I'm not as surprised by them as some might be.

Mr Phillips: I would say to the Treasurer that you knew about the free trade agreement when you prepared the budget and the budget is only six months old, you knew about the GST, you knew about the challenges to our manufacturing sector, you knew all those things, but in the budget you said we would be seeing economic recovery by now. You said that we would see the unemployment rate dropping by now and you said that the government would create a net 125,000 jobs this fiscal year. You knew all those things. You promised the people of Ontario those things in the budget, and Bob Rae got up and said he had a plan for economic recovery.

My question to you is this: Do you continue to stick by the promises in your budget—economic recovery, unemployment rate dropping—or is this another broken NDP promise?

1350

Hon Mr Laughren: It's a bit ridiculous for the member for Scarborough-Agincourt to talk about the performance of the Ontario economy as a broken promise.

Mrs Elinor Caplan (Oriole): We're talking about the performance of your budget.

Hon Mr Laughren: And for the member for Oriole, who continues to talk when she's not supposed to.

Hon Gilles Pouliot (Minister of Transportation and Minister Responsible for Francophone Affairs): Oh, that hurts.

Hon Mr Laughren: It's—well, I won't say it. The fact remains that despite what the member for Scarborough-Agincourt seems to imply in his questions, the government cannot solve all those problems out there.

The members of the opposition stand in their places and make it sound as though, "If only the government would do something else, all the problems would be over." One minute you're telling us that, and the next minute

you're telling us we're spending too much money, and the next minute you're telling us to spend more money, and now you're saying it's the government's fault because there's a recession in Ontario that's hit this province harder than any other province.

It's not just Ontario. Let's face it: Every independent forecasting agency, the banks, other states and the federal government have all had their economic forecasts for the recovery from this recession miss the mark, every single one. So stop pretending, in the interests of honesty, that's it's only this government that is missing the mark on when the economy will recover.

Mr Phillips: I am quoting from your budget; I'm not making this up. You wrote the budget. In the budget you said—and this budget's only six months old—the unemployment rate would be dropping, you promised jobs and you said we'd be in an economic recovery. I'm not making these things up. I am just repeating for you what you said.

My problem is that people, believe me, are desperate out there. They want to believe you. They want to believe you are going to fulfil what you said in the budget. But it's not happening and don't blame me for that. It's your budget. You said it would happen.

We saw on the weekend, "Desperate' Jobless Turn to Begging." Every one of us in our constituency sees case after case, individual after individual, tragedy after tragedy. I just want to know from the Treasurer, what hope do you give to those people that you are going to deliver what you said you would do in the budget, and that is to create jobs, reduce the unemployment and help the people who are unemployed in this province?

Hon Mr Laughren: If the member for Scarborough-Agincourt is mad at me because the economic recovery isn't occurring as quickly as I thought it was, he must be mad at the entire world, because everyone's economic projections have missed the mark. For the member for Scarborough-Agincourt to say he's mad at me because the economy hasn't recovered the way everybody hoped it would simply doesn't make any sense at all.

We have put in place, for the first time, a long-term economic program that I believe will satisfy the long-term needs of this province. Gone are the days when governments can simply respond to every blip on the scope by creating a lot of make-work projects in the short term.

That's why we've put in place the kinds of programs we have under what we call Jobs Ontario, which is investing in the infrastructure of the entire province, which is investing in training which is in the long-run best interests of this province as well. We have made a massive and unprecedented commitment to the housing industry in this province that no one else has ever made in the history of Ontario. So don't tell me we're not trying and not putting in place the programs that will serve Ontario well in the long run. We are.

COLLECTIVE BARGAINING LEGISLATION

Mrs Elinor Caplan (Oriole): My question is to the Chair of the Management Board. The facts are that every working day in Ontario, 547 people lose their jobs. We've heard that 85% more people are going to food banks since

the NDP took power. Yet the only plan this NDP government has come up with so far in this session is one for the forced unionization of up to 9,000 of its employees, Ontario's public servants. Clearly, Bob Rae's government has no economic plan except one that helps the Ontario Public Service Employees Union.

What's wrong with the minister and his cabinet buddies on the other side of the floor? Why is the forced unionization of civil servants more important than the economy in these desperate times in Ontario?

Hon David S. Cooke (Chair of the Management Board of Cabinet): First of all, I would suggest that the member actually read the policy paper that was put out by this government. She can say whatever she wants to say in the House, but that doesn't make it correct. There is no policy of this government that would force 9,000 civil servants to unionize. That is absolute nonsense. It is irresponsible for the member to make that kind of accusation in the House when it's absolutely and totally untrue.

Mrs Caplan: This government, as usual, is saying one thing and then doing another. This time they say they are not forcing anyone into OPSEU, and yet the minister admits in his paper, which I have read thoroughly, that 2,000 employees will be forced into the union without any right to choose. He says the other 7,000 will get the right to choose whether they want to join a union, but we're afraid that under pressure from his union pals, he's going to go back on his word. Minister, will you guarantee those 7,000 public servants that they will have a secret ballot vote on whether or not they want to join any union?

Hon Mr Cooke: I mistakenly would have thought that the former Chair of Management Board would understand that there are about 2,000 employees who have been wrongfully excluded from joining the Ontario—

Mrs Caplan: You're forcing them into unions. You're forcing them to pay union dues.

Hon Mr Cooke: Perhaps if you'd listen you might understand, since you obviously didn't understand this when you were in the position. The fact of the matter is that these cases have been dealt with on a one-by-one basis by going to arbitration at a cost of millions and millions of dollars to the taxpayers of this province. Instead, we have decided the more fiscally responsible way of dealing with it is to take a look at those positions and include them in OPSEU. If people disagree, they have an appeal procedure. There is an appeal procedure as part of the policy announcement that I made last week, and those 2,000 employees who have a right under the current law—not under a change in law that we're proposing—to be part of OPSEU will be able, under this government, to exercise that right. That's all we're saying.

Mrs Caplan: The minister did not answer my question, and my question was very clear. Obviously, the NDP's agenda on this issue has been clear from the start. They've made a backroom deal with OPSEU to force people to pay union dues without giving them any say about it, and he's just admitted that for over 2,000.

He said the other 7,000 will have the right to choose. I ask him to assure them that this is not just a political

payoff. We know that the forced unionization of up to 9,000 people will generate \$7 million in new union dues for OPSEU, and so I ask him again, will the minister guarantee to the 7,000 public servants that they will have a secret ballot vote on whether they wish to join any union?

Hon Mr Cooke: What I can indicate to the member very clearly is that the statement that was made last week will be lived up to, that those employees will have a choice of whether they want to unionize, and if they want to unionize, they will have the choice of deciding which union they will belong to.

Mrs Caplan: No secret ballot vote. You've sold them out in a political payoff to your pals.

Hon Mr Cooke: There is one addition that—

Mrs Caplan: You sold them out.

The Deputy Speaker (Mr Gilles E. Morin): You asked the minister a question. Please pay attention to what he has to say.

Hon Mr Cooke: There is one issue that I think I left out of last week's statement and I would like to share that bit of information with the member. Last week, when I made my statement, I thanked the previous chairs of Management Board, Frances Lankin and Tony Silipo, for the development of the policy. I should have also included Murray Elston, because he was developing the policy that we have acted on before we were even in power.

POLICE JOB ACTION

Mr Michael D. Harris (Nipissing): My question is to the Solicitor General. Minister, our police officers in Metro have taken a job action, not against their chief, not against the Metropolitan Toronto Police Services Board, but against you, your Premier and your government. While I don't condone their tactics, I have to say, Solicitor General, that there is no doubt that the actions and the policies of your government have driven them to this.

Solicitor General, you have it within your power to end this impasse. The police are asking for a meeting with the Premier. Will you today, Mr Solicitor General, as the top cop in this province, commit to personally speaking to the Premier on behalf of the police to arrange a meeting?

Hon Allan Pilkey (Solicitor General): Basically, there were two elements in the question that was posed by the leader of the third party.

First of all, I disagree totally with his assertion that the actions and policies of this government have somehow created this circumstance or have not been supportive of police. Mr Speaker, I am very pleased to report to you, as objective members of this House well know, the actions this government has taken, whether it be on resourcing the OPP in terms of dollars or 241 officers, whether it's the change of extending political rights activities to all police officers of this province, whether it's with respect to endorsing new code-of-conduct regulations, additional training, resources and circumstances so that we might further enhance and have a better police force in this province, to give the men and women of this province who serve us even greater tools at their disposal; all these positive things

have occurred. So the notion that the government has somehow been negative I think is not exactly an objective comment.

In terms of the second question about a meeting, I've already met with Premier Rae with respect to this issue. I believe the Premier's position is that if the Metropolitan Toronto Police Association wishes to stop this illegal job action, he is quite willing, as he has been with a wide variety of organizations and community leaders, to meet with them on this particular issue.

Mr Harris: The police feel and the perception they have is that when it comes to legislation, draft or real, when it comes to a change in regulations dealing with crime, with law and order, with policing, Dudley Laws can get access within a half an hour, criminals are being listened to, but victims are not and indeed police officers are not. That's how they feel.

The police association is simply asking for a meeting. You did not give them a meeting. You did not listen to them before you made a whole host of changes and policy decisions. They are asking now to be listened to.

Mr Solicitor General, I suggest to you that, particularly now, given what has gone on, this is not the time for an us-versus-them attitude. We should all be on the same side—government, politicians, police, fighting crime—not fighting each other. Mr Solicitor General, instead of entrenching two sides that should be working together in polarizing positions on opposite sides even further, you and the Premier have it within your power to bring an end to this impasse, to put an end to the perception, "We'll listen to anybody except those on the front lines, except the police officers." Will you bridge the distance between your government and our police officers and arrange today for a meeting with the Premier?

Hon Mr Pilkey: The leader of the third party is woefully and sadly misinformed. The suggestion was that I have not met with police associations. Let me tell you, Mr Speaker, the fact of the matter, because it obviously escapes members opposite. We have consulted on an ongoing basis, formally, informally, over supper, in offices, at offsite meeting sites, with the Police Association of Ontario, the chiefs of police of Ontario, the police services boards, all the police stakeholders. We involved them directly in the development of this particular regulation. I made accommodations after representations from some of those organizations with respect to this particular issue. Those meetings are ongoing and go on all the time.

I have indicated that in this particular impasse my door is open. The Premier has or will indicate that he's quite prepared to meet with the associations once the job action has ceased. Therefore, I reject this notion that somehow this government has been insulated from police associations and their representatives. It quite simply isn't a fact and isn't true.

Mr Harris: Mr Solicitor General, when it comes to listening, meeting and consulting with Metropolitan Toronto police officers, your rhetoric about meeting with police commissions and Susan Eng doesn't cut it. It does not cut it.

Mr Norman W. Sterling (Carleton): She doesn't represent the police.

Mr Harris: That is exactly the problem. The police officers, the men and women of the Metropolitan Toronto police, do not feel, for whatever reason—and I can suggest 50 good ones—that Susan Eng speaks for or represents their concerns. They have felt it necessary to take job action, job action which nobody condones. But they feel you have forced them in this position. Mr Solicitor General, when you look at the fact that in two years your government has brought in not one anti-crime initiative—

The Deputy Speaker (Mr Gilles E. Morin): The question?

Mr Harris: —but you've brought in all kinds of new initiatives for police without consulting them, without consulting the front-line officers, you have to appreciate that they have a point.

I would ask you, since the onus is on you, not to leave the police officers hanging out there to dry any longer. The onus is on you and you have the power to end this impasse, to take it away from a "them versus us." It's not a winner-take-all; it's everybody loses until we end this impasse. Will you demonstrate the leadership required, talk to the Premier and call the police association in for a meeting with you and the Premier on constructively hearing and airing its concerns?

Hon Mr Pilkey: I want to tell you that the questioning from the member opposite is so badly off the mark that, from my perspective, it's almost unbelievable. His suggestion was that I've not met with the Metropolitan Toronto Police Association. I have met, and have continued to meet, since assuming this ministry with the Police Association of Ontario, which not only includes the Metropolitan Toronto association but every police association in the width and breadth of this province.

As well, when he references meetings with Susan Eng, I didn't spend my time having discussions with Susan Eng; as a matter of fact, I can't recall that I've even had a meeting with Susan Eng on this particular issue. I spent my time discussing this issue with all the corporate umbrella representatives of the major police stakeholders. That's what I have done, not as the member opposite has suggested.

I want to tell you as well that the initiative we have taken for the advancement and training of every new recruit and of every uniformed officer in this province, through additional retraining and additional resourcing, which is really contained in this use-of-force regulation, I think is a very supportive action for this government to have taken. We will build upon the credibility and the fine job that our policemen and policewomen have always done for us in this province.

Mr Robert W. Runciman (Leeds-Grenville): I have a question on the same issue, but I'm going to direct it to the Deputy Premier. In this context I don't think that any of the forces related to the concerns of police in this province want to meet with the Solicitor General. They know this minister does not swing weight in respect to police questions; he has been bounced out of two portfolios. They

want answers from the Premier. In the absence of the Premier, I'm going to pose this question to the deputy.

In the past, Mr Deputy Premier, your leader has not hesitated to meet with labour unions across this province on health and safety issues. Whenever a labour union wanted to talk to your party, your government, Mr Rae, your leader, did not hesitate. You've long fought for the concerns of labour unions. If you do not believe, Mr Deputy Premier, that this is a health and safety issue, perhaps you should go out and talk to some of the widows of slain officers who were carrying out a vigil under the Premier's office window today.

Mr Deputy Premier, why are you not prepared to discuss these matters of concern in respect to health and safety issues directly, through your office and the Premier's office, with the officials of the Metropolitan Toronto Police Association?

1410

Hon Floyd Laughren (Deputy Premier): That question really should be directed, once again, to the Solicitor General, but I would simply say, since he has tried to very specifically address it to me, that I don't believe there's any reason not to meet with the police as long as it's done under the right circumstances and the right conditions. But I think you would be the first to agree that meeting as a result of a work action, while a work action is continuing, would not be appropriate. I would be—

Interjections.

Mr Gary Carr (Oakville South): No communications while you are on strike. Is that it?

Hon Mr Laughren: Let me finish. I would be very surprised if the member opposite would suggest that's an appropriate strategy for any government to undertake in a situation such as this. I'd be very interested in hearing the member's response to that.

Mr Runciman: I think perhaps the Deputy Premier doesn't appreciate the frustration among police officers, and I'm not simply referring to the Metro association. I think this applies to police officers right across the province. If we just can look at the stats in Metro Toronto for 1991, homicide is up almost 38%; attempted homicide, up 19%; abduction, up 22%; sexual assault, up almost 11%; robberies, up 19%; drug convictions, up 16%. Clearly this is a very, very high-stress occupation with a lot of challenges facing the men and women officers, certainly in Metro Toronto, if not across this province.

The government's record with respect to dealing with the police officers, and perhaps especially the Metro force, is painting them as bad guys, when the Premier immediately was prepared to meet following the shooting where Constable Robert Rice was involved, Mr Deputy, chasing a drug dealer through the back alleys and was confronted with a knife and there was a shooting. The Premier immediately met with some vocal minority groups who are well known as anti-police in their sentiments, and came out with a statement which was very condemnatory of police in Metro Toronto. He met with them two days following that shooting.

Now we're having this clear signal sent to you that police officers in Metro Toronto and police officers across this province are very concerned about your approach and the initiatives you've undertaken. I'm asking you again, Mr Deputy: Why are you not prepared, when you're prepared to meet with OPSEU, you're prepared to meet with CUPE, you're prepared to meet with the Steelworkers? Is it because the police association of Metro Toronto does not send its deductions to the NDP? Is that why?

Hon Mr Laughren: I regret very much the very sophomoric conclusion to the member's question.

First of all, I regard, and I'm sure everyone else in government, including the Premier, regards the action by the metropolitan police as very, very serious. When I think about the police force, which is paid to enforce the laws, engaging in this kind of job action, I worry a great deal about it, because I think it runs counter to everything that we in a democratic society believe in.

Interjections.

Mr Bill Murdoch (Grey): Don't give us that.

Hon Mr Laughren: Well, I'm telling you—

The Deputy Speaker: Order.

Hon Mr Laughren: What has been asked of the police is nothing dramatic, nothing radical. The very issues that are being talked about are ones that I understand have been in place in Halton region, for example, for some time now, and in Edmonton and in other places.

So, first of all, let's make it very clear that what the police are doing is very, very serious and should be regarded as such, not just by government but by everybody in this province.

Secondly, I would hope that no government could meet the demands to sit down and negotiate in the middle of such a job action. I think that would be most inappropriate.

Mrs Elinor Caplan (Oriole): They're just following Bob Rae's example for civil disobedience.

The Deputy Speaker: Order, the member for Oriole.

Mr Runciman: This is another case of the government burying its head in the sand. You're not prepared to talk to the policemen and policewomen in Metro Toronto and across this province in respect to their concerns. Their concerns not only lie in respect to the unholstering of weapons; there is a whole host of concerns about the way this government is treating police officers across this province: dumping on them, continually badmouthing them, suggesting they're all racist or riddled with racists.

Hon Bud Wildman (Minister of Natural Resources and Minister Responsible for Native Affairs): Are you kidding?

Mr Runciman: I am not kidding. Just look at the Premier's comments. Look at the comments of the parliamentary assistant to the Premier. It is a clear record in respect to what's happening.

I want to ask the Deputy Premier two specific questions: First, will he assure this House that his government's appointees to the Metropolitan Toronto Police Services Board will not take arbitrary action against Chief William McCormack? Second, will he, as the Deputy Premier,

indicate to this House if he and his government are prepared to refer these regulations to the standing committee on administration of justice of this Legislature for public hearings?

Hon Mr Laughren: I regret very much some of the language the member for Leeds-Grenville uses.

Mr Runciman: What about the parliamentary assistant to the Premier? You are not offended by that.

The Deputy Speaker: Order. You've asked a question. Please give a chance to the minister to give his reply.

Hon Mr Laughren: It certainly doesn't help relations with the police, who I think perform a difficult job very well in this province. It doesn't help the atmosphere when the member for Leeds-Grenville, and he's the only one I've heard, stands up and suggests that somebody thinks the police in this province are racist. That does not help anybody.

Interjection.

Hon Mr Laughren: That is not true. That does not help the police. That does not help society at large.

I can tell the member for Leeds-Grenville that this government believes, as I said before, that the police do a difficult job very well. But we also believe that they are accountable and they must be held accountable. They cannot write all the rules for themselves. That simply is not on and that will not be on.

I would encourage the member for Leeds-Grenville to use his considerable influence with the police to cool down the rhetoric and stop using the language that he uses in this chamber, because it demeans everyone.

Mr Alvin Curling (Scarborough North): Let me echo the concerns of the leader of third party and also the member for Leeds-Grenville. My question—

Interjections.

The Deputy Speaker: Order.

Mr Curling: I will direct my question to the Solicitor General. The Metro police services board's Susan Eng had said that "the protest by Metro police is a demand to be heard," adding that "the provincial government must accept some of the blame for the crisis situation which has been allowed to develop."

I want to know what specific and immediate steps you, the Solicitor General, will take to repair the police-government relations which the NDP has so terribly and so badly damaged.

Hon Mr Pilkey: This is a work stoppage by the Metropolitan Toronto Police Association. The matter is being handled by Chief William McCormack and the police services board, and I want to say that I support both Chief McCormack and the board in their efforts to resolve this particular situation.

Beyond that, as I have indicated, my particular door is open with respect to this issue. I have met and will continue on an ongoing basis to meet with all major police stakeholders on this and other policy issues as they impact policing in this province.

1420

Mr Curling: Yes, the Solicitor General's door is always open, but nobody's home. They feel that he's not listening. Your delay tactics, the way you introduce your bills has caused havoc among the police and their concerns. We want to know, are you prepared to meet with Art Lymer and the police association?

This government really has lacked the credibility to build the kind of partnership between the government, the police, the community, the modern police requirement that is needed in this province. Will you meet with these officers and members of the association?

Hon Mr Pilkey: The member for Scarborough North's comment is in error. We have always, on an ongoing basis, prided ourselves on being able to have dialogue, discussion and consultation with the major police stakeholders. Primary among them is the Police Association of Ontario, and discussions with respect to this regulation I believe reach back to some 18 months ago.

I want to say as well that during the process of consultation with them and other community leaders, I did in fact make an accommodation, at the request of the Police Association of Ontario, with respect to the regulation on filing a report when weapons are drawn.

More particularly, they had a concern, which was voiced here and in many corners of the province, with respect to the circumstance where officers who were out perhaps late at night and had to go into an empty warehouse in the dark accompanied by only their partner, but there was no public presence.

If they drew their weapons, would they had to file a report in that circumstance? They felt they should not have to. I agreed to their request, and they in fact do not have to. Only in a situation where weapons are drawn, when lethal force is drawn in the presence of the general public is a report required.

The notion that we have not listened, that we have not made an accommodation or are not willing to make accommodation is fallacious.

TAXATION

Mr Norman W. Sterling (Carleton): I have a question of the Treasurer. Mr Treasurer, in order to increase investor confidence, will you put to rest speculation that you intend to introduce an inheritance tax in the very near future?

Hon Floyd Laughren (Treasurer and Minister of Economics): I appreciate the question. The member opposite will understand, I believe, that as part of the directions given to the Fair Tax Commission was one that asked it to look at the whole question of wealth taxes in the province of Ontario. The Fair Tax Commission has not at this point reported, so I think it would be inappropriate for me to make any kind of commitment until somebody who's had a serious look at the issue has reported back to me.

Mr Sterling: When the Treasurer was considering the 63 new possible ways of raising taxes, he was quite willing to put aside several of those, notwithstanding that the process was going on. His answer is not in tune with that.

Mr Treasurer, with regard to investor confidence, it's obvious now to anyone who is looking at the Ontario scene that your budget is way out of whack. When are you going to introduce a new one?

Hon Mr Laughren: It's an interesting supplementary. I can't understand why that particular member would be concerned about a wealth tax, so I do appreciate the question coming from him.

I should tell the member for Carleton as well that there is no intention to introduce a budget before the normal time. We are making final preparations for the release of an economic outlook document which will indicate any revised forecast we might have at this point.

Of course then there will be, towards the end of the month or early November, the second-quarter Ontario Finances, which will bring everybody up to speed on the latest numbers, but we have no intention of introducing yet another budget. I'm surprised that you would want another one.

FISCAL AND ECONOMIC POLICY

Mr Donald Abel (Wentworth North): My question is also for the Treasurer. Mr Treasurer, I understand there's a high-level committee operating under your direction with a mandate to propose major spending cuts for the next fiscal year. This causes a great deal of concern for many people in the social service agencies and others, especially in the Hamilton-Wentworth area. Mr Treasurer, can you tell this House and certainly the people of Ontario about this committee and its mandate?

Hon Floyd Laughren (Treasurer and Minister of Economics): Yes, there is indeed a committee functioning, a committee consisting of senior deputy ministers and legal staff from various ministers' offices that are looking at ways to make sure we are able to meet our fiscal targets as laid out in the budget.

Members opposite will recall, I hope, that last spring, prior to the 1992 budget, we struck a committee that also looked at what we call program reviews—reviews of all the programs in government—with the intention of seeing where savings and streamlining could take place, because that hadn't gone on under the previous government at all. They just kept layering one program on after another, so we felt we should take a look at that.

As a result of that exercise last spring, we were able to reduce the growth in expenditures \$4 for every dollar that was implemented in tax increases. It was a very successful committee and we've cranked it up again because we know we're going to have to work very hard to review all those various programs if we're going to meet our fiscal targets as laid out in the budget.

Mr Abel: Mr Treasurer, I can appreciate the fact that this in its embryonic stage. However, can you tell us when we can expect some further information about the results of the process?

Hon Mr Laughren: Yes. The goal of the exercise is, first of all, to constrain expenditures in the province in a logical and strategic way for the benefit of the people who receive services but also for the long-term health of the

economy. Therefore, the final results of the exercise will really not be evident to everyone until budget time.

However, having said that, it's clear that there are going to be rumours, press stories and comments by members of the Legislature about this exercise. I would simply ask you to keep in perspective the fact that we're looking at all these major programs. People should not get unduly exercised over any one until that final decision has been made, and we're some time away from that yet. We really have not made any of those decisions at this point.

INTERNATIONAL TRADE

Mr Monte Kwinter (Wilson Heights): I have a question to the Deputy Premier and Treasurer. I hope the Speaker will give me a certain amount of leeway in fairness to the Treasurer so that I can give him a little bit of background.

The Treasurer will know that Ontario is one of the most heavily trade-dependent jurisdictions in the world: For every dollar an Ontarian has in his pocket, fully 30 cents or more is there because of trade. The Treasurer will also know that the United States is by far our largest trading partner. As a matter of fact, 90% of the trade of Ontario is done in the United States.

The Treasurer will also know that the fastest-growing area in the United States as far as industrial activity is concerned is the so-called Sunbelt. The Treasurer will also know that representatives of those states have established for the first time offices in Toronto.

On September 30 the Deputy Minister of Industry, Trade and Technology sent a memo to all staff and a copy of a phase 1 document. In his memo he states, "Last Friday, our report on restructuring the ministry received a very positive reaction from the Premier's Council on Economic Renewal," of which the Treasurer is a member, "and we are now to give top priority to implementing the plan." He encloses the plan, which means, "This is now government policy and we're going to implement it."

One of the things it calls for is the removal of senior posts from Boston, Atlanta and Dallas. How can the Treasurer, in his capacity as a member of the Premier's economic council, justify that in an area which has the greatest potential for trade in Ontario—when you consider that if you take the trade we do with the United States and raise it by 1%, it's a huge number, whereas if you take the trade we do everywhere else in the world and increase it by 500%, it is a very small number. How can you, as a member of that council, condone the fact that it is effectively removing the ability for Ontarians to access that very important market?

1430

Hon Floyd Laughren (Deputy Premier, Treasurer and Minister of Economics): The member is referring to a report that was done to streamline and make more efficient the entire Ministry of Industry, Trade and Technology. The member opposite would know that it was time to do that, since he was the minister there at one time.

The report that came back as a result of that study made a large number of recommendations, largely on the internal organization of the ministry, but it also touched on

the agents general who are located in different parts of the world to promote trade and investment in Ontario. It's also true that they made some recommendations along the lines the member refers to.

That does not mean the report, individual components of it, have been accepted in total by the government at this point; that's simply not true. The deputy and the minister are coming back to us with some specific recommendations based on that report. I'm not questioning the veracity of what the member says—it's absolutely true—but he's taking it one step too far, in that the government has not made a determination on those specific decisions.

Mr Kwinter: I think there is a breakdown in communication between the economic council and the deputy. It isn't something I've said. Here's the letter, and I have the report, and it says, "To all staff," and he includes the report. Now, why would he include a report to every member of the staff at MITT if it isn't something they want to implement? He says, "We are to give top priority to implementing this plan." He's not saying "top priority to talking about it"; he's saying, "We want to implement it."

With all due respect, I have not jumped to any kind of conclusion that I have not read in this document. What I would like to ask you is that on page 29 of that document, there is another interesting proposal which, I submit to the Treasurer, is now to be implemented. In light of your government's total rejection of the NAFTA agreement, there is a proposal that calls for a senior post to be opened in Mexico. Not only is that a total contradiction of what the NDP has been saying publicly, but I think it's important to know that at estimates of MITT, which were held in the latter part of August—

The Deputy Speaker (Mr Gilles E. Morin): Question?

Mr Kwinter: I'm going to raise the question right now, Mr Speaker. There was a follow-up question at estimates to the ministry, and this is what it said, "Does the Ontario government have any plans to open a trade mission in Mexico?" The response that came back from ministry officials, and it came back after this document was released, says, "There are no immediate plans to open an office in Mexico."

Somewhere along the line, someone is not talking to someone else in either the Premier's Council meeting or the ministry. The document says, "We are going to put a senior post in Mexico." The response from MITT to our caucus says, "We are not going to open any offices in Mexico." Could the minister or the Treasurer please explain that?

Hon Mr Laughren: Perhaps the operative word is "immediate." I want to assure the member opposite that if the North American free trade agreement becomes a fact of life in North America, I don't think the member opposite would suggest that because we resisted it, for the same reasons we resisted the free trade agreement with the US—by and large, the lack of adjustment programs for industry and for labour all across Canada, and it really hit Ontario very hard—that when that becomes the law of the land, we pretend it's not and don't take advantage of

whatever advantages there might be. I see no contradiction in that whatsoever.

EDUCATION POLICY

Mrs Dianne Cunningham (London North): My question is to the Minister of Education. Mr Minister, last week you enlightened us with some information with regard to what's going on in our school system and the fact that there will no longer be credits for students in grade 9. We also know that your ministry is trying to get ready some curriculum with regard to the destreaming of grade 9 for September, 1993, and we're certainly aware that you're getting your course outlines ready.

Mr Minister, right now there are a lot of people looking for input to just what will take place with regard to those courses that will be offered next year, but more important, the students and their parents are wanting to know. Most times these courses go to print so that students can choose courses they want to take. That should be done before Christmas so that the parents and teachers and students can get together early in the new year. Could you advise this House when those course outlines will be ready from your ministry so that this work can be done?

Hon Tony Silipo (Minister of Education): The documents that the school boards are receiving from us or will be receiving in the next little while are not the key documents that should be relied on in terms of deciding the course outlines for next year. We have made it clear that we would be providing those documents to school boards so that they could begin the planning of the common core curriculum to the end of grade 9 beginning next September, but in fact school boards have a three-year period in which to implement those changes. That was done specifically to allow school boards to make decisions, given their local circumstances and given the level of readiness they feel they're in, to implement some or all of that new curriculum in that first year. But clearly they've got the three-year period and they can proceed to do that planning. The importance of the curriculum documents is to assist the teachers in the actual preparation of the courses, not in the course selection of students.

Mrs Cunningham: That means that across Ontario for the next three years, students will have a choice of looking at courses that are already in place to choose, and other school boards may be ready to offer new courses. My assumption is that some schools therefore will give credits and some won't give credits. Perhaps the minister could clarify that in the response to my supplementary question, which is this:

Mr Minister, Ontario is waiting to take a look at the kind of curriculum that will take our young people into the next century, to take a look at the kind of curriculum that will allow and encourage apprenticeship programs in our schools. There is a lot of confusion as to what's happening. All of us are waiting for opportunities to give you some good advice: parents and schools, teachers, the business community and union leaders. At what time are you going to be ready to get that kind of input, and what are you doing about getting it at this very moment? This is critical.

Hon Mr Silipo: We have been getting that kind of good advice for a number of years now in the ministry, certainly even before I became Minister of Education.

As the member knows, there has been a fairly extensive period of discussion involving people from within the school systems and outside of the school systems around the whole examination of education, from the early years right through to the end of high school. What we are doing now is taking all that information and putting together what we believe are some of the directions and some of the answers that we need to provide back to the system. I don't think any of us are foolish enough to believe that will be the end of the discussion; in fact, one could say that it's the beginning of another set of discussions around how some of these changes are to be implemented.

Again, we've tried to be sensitive, in the directions that we put forward, in allowing the kind of flexibility that we know our school boards and schools need in terms of implementation. That again would be my reference back to the three-year implementation process for the destreaming of grade 9. I can say to the member that there will certainly continue to be lots of opportunities for those discussions. As I indicated, I believe last week, I expect that we will be coming out with some statements later in the fall that will outline some of the directions our school system needs to pursue, and then also set very clearly a period for some further discussions as well as some reasonable implementation time lines.

1440

COOPERATIVE CORPORATIONS

Mr Tony Martin (Sault Ste Marie): I would like to ask a question today of the Minister of Financial Institutions on behalf of the co-op movement in Ontario and on behalf of my own constituency, Sault Ste Marie, which happens to have several important credit unions and cooperative institutions within its boundaries. Minister, since the amendments to the Co-operative Corporations Act were passed by the members of this Legislature last spring, can you tell me what initiatives have been taken by your ministry to address the issues of the co-op movement?

Hon Brian A. Charlton (Minister of Financial Institutions): Since the legislation passed in the spring, my parliamentary assistant, Steve Owens, the member for Scarborough Centre, who doesn't seem to be here, has commenced a comprehensive review of the Co-operative Corporations Act. The purpose of the comprehensive review is to address some substantive legislative and program issues that confront the co-op sector in this province and to try and find ways to encourage the greater growth and development of cooperatives in this province. That review includes a co-op sectoral advisory committee and an interministerial committee and a significant public consultation process.

It's interesting that the co-op movement plays a particularly important role in the province of Ontario, and today happens to mark the beginning of Co-op Week in this province. In celebration of that, at 5 pm in room 247, the co-op movement will be hosting a reception celebrating

the success of co-ops in this province, and all members of the Legislature are invited.

FOOD BANKS

Mrs Yvonne O'Neill (Ottawa-Rideau): My question is to the Minister of Community and Social Services. Madam Minister, on October 6 you appeared before the standing committee on estimates. Your choice of title for your remarks was Choices and Change. This is your annual opportunity to present your priorities, yet in your 45-minute remarks you did not mention the words "food banks" once. You made only nebulous comments about poverty and child poverty, whereas the majority of people bringing food to the Daily Bread Food Bank annual Thanksgiving Day drive have stated in written form on the bags they have presented that they consider hunger to be a very serious issue in this province.

How do you account for this significant absence of any mention of food banks and only a passing reference to child poverty in a presentation of your priorities, when the rest of the province thinks this is a serious, high-profile issue?

Hon Marion Boyd (Minister of Community and Social Services): In my speech at the estimates I made it very clear that our number one priority as a government in my ministry is the reform of social assistance, and the reform of social assistance, as this party has always maintained, is the important route to alleviating child and adult poverty.

The social assistance system needs to be reformed in order to encourage people to work so that they can become self-sufficient, and it is not a priority—we have been very clear about this; I was clear in the answer to the honourable member for Oriole last week—for us to maintain the institutionalization of food banks. It is our priority to achieve a reformed social assistance system that will enable people to attain self-sufficiency.

Mrs O'Neill: You say you are clear; you say you feel passionately, and I'm using your very own words. Your government, however, didn't hesitate, didn't wait for plans to move a \$2.5-million cabinet secretariat to the Whitney Block, and you didn't hesitate or criticize Ontario Hydro for the \$1-million boardroom, but you continue to rationalize the problem of poverty day after day.

The people in need in this province have to be sure that you and your colleagues understand their position. Mothers are watering down baby formulas. Children are going to school hungry. It's been stated as late as today by the people who are presenting those food bags that government has a role. You have a very strong mandate from the Ontario community to fulfil that role. Madam Minister, I'm asking you to state clearly your plans, your definite time line, your budget commitment to this dilemma that faces Ontario.

Hon Mrs Boyd: I have made it very clear that we are looking at reform of the social assistance system, the completion of the moves that were made in the last two years, during 1993.

In terms of some of the other issues the member raises, there is no question about our concern around child hunger

and particularly post-natal care of children. One of the issues we are discussing with the federal government is mutual plans around the brighter futures program it announced, in terms of ensuring that this is a priority issue. The member is deliberately confusing capital spending with operating spending. The \$3 million she mentioned will not go very far in feeding any child.

It is not our policy to give additional handouts and to institutionalize those kinds of handouts. They are absolutely considered by poverty activists to be the worst kind of charitable response to a major problem. That is not the policy of this government. We see this as a systemic problem that needs to be dealt with, not through minor handouts, not through little fix-its, not through \$1 million here or \$1 million there, but through a major reform of the entire system. That is the direction we intend to go over the next couple of years.

VISITOR

The Deputy Speaker (Mr Gilles E. Morin): I would like to bring to the attention of the House the distinguished visitor Dottore Moris Bonacini, from Emilia Romagna, who is leading a 22-member delegation, who are meeting with representatives of Ontario companies in the environmental sector and with Ontario municipalities.

PETITIONS

EDUCATION FINANCING

Mrs Elinor Caplan (Oriole): I have a petition to the Legislative Assembly.

"Whereas the British North America Act of 1867 recognizes the rights of Roman Catholic students to receive a Catholic education; and

"Whereas the province of Ontario is financing two school systems from kindergarten to grade 12/OAC; and

"Whereas the Metropolitan Separate School Board is offering education to more than 104,000 students of Metropolitan Toronto; and

"Whereas those students who represent 30% of the students of this region have access only to 20% of the residential realty assessment and to 9.5% of both commercial and industrial assessment; and

"Whereas the Metropolitan Separate School Board is spending \$1,678 less per elementary student and \$2,502 less per high school student than in the public sector,

"We, the undersigned, petition the Legislative Assembly to restructure the allocation of municipal and provincial taxes so the two main school systems may be financed equally."

LANDFILL

Mr W. Donald Cousens (Markham): I have another 1,000 petitions, signed by the Dumpbusters of York region.

"To the Lieutenant Governor in Council:

"We, the undersigned, absolutely reject the alternative of a Metropolitan Toronto-York region megadump and insist that you consider all alternatives."

I submit this on behalf of the people of York region who have signed it. I have thousands more from the many people who are so upset with this government in proceeding with

the selection of dump sites the way it is. I submit this on their behalf.

GAMBLING

Mr Dennis Drainville (Victoria-Haliburton): "To the Legislative Assembly of Ontario:

"Whereas the New Democratic Party government has traditionally had a commitment to family life and quality of life for all the citizens of Ontario; and

"Whereas families are made more emotionally and economically vulnerable by the operation of various gaming and gambling ventures; and

"Whereas the New Democratic Party government has had a historical concern for the poor in society, who are particularly at risk each time the practice of gambling is expanded; and

"Whereas the New Democratic Party has in the past vociferously opposed the raising of moneys for the state through gambling; and

"Whereas the citizens of Ontario have not been consulted regarding the introduction of legalized gambling casinos despite the fact that such a decision is a significant change of government policy and was never part of the mandate given to the government by the people of Ontario,

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government immediately cease all moves to establish gambling casinos by regulation and that appropriate legislation be introduced into the assembly, along with a process which includes significant opportunities for public consultation and full public hearings as a means of allowing the citizens of Ontario to express themselves on this new and questionable initiative."

I'm signing this, Mr Speaker, and this is added to the hundreds of signatures which we have already given in to the House.

1450

RETAIL STORE HOURS

Mr David Ramsay (Timiskaming): I have three petitions here which I would like to present to the Legislative Assembly today. These come from three separate church congregations in my riding, and I will read one of them.

"We, the undersigned, hereby register our opposition to wide-open Sunday shopping.

"We believe in the need of keeping Sunday as a holiday for quality of life, religious freedom and for family time. The elimination of such a day will be detrimental to the fabric of society in Ontario and cause increased hardship on retailers, retail employees and their families. The proposed amendment of the Retail Business Holidays Act, Bill 38, dated June 3, 1992, to delete all Sundays except Easter from the definition of 'legal holiday' and reclassify them as working days should be defeated."

GAMBLING

Mr Ted Arnott (Wellington): I have a petition, and it reads as follows:

"Whereas the NDP government is considering legalizing casinos and video lottery terminals in the province of Ontario; and

"Whereas there is great public concern about the negative impact that will result from the abovementioned implementations,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government stop looking to casinos and video lottery terminals as a 'quick-fix' solution to its fiscal problems and concentrate instead on eliminating wasteful government spending."

Mr Speaker, I have attached my signature to this petition.

RETAIL STORE HOURS

Mr Larry O'Connor (Durham-York): I have a petition here to the members of the provincial Parliament.

"I, the undersigned, hereby register my opposition to wide-open Sunday business.

"I believe in the need for keeping Sunday as a holiday for family time, quality of life and religious freedom. The elimination of such a day will be detrimental to the fabric of society in Ontario and will cause increased hardship on retailers, retail employees and their families. The proposed amendment to the Retail Business Holidays Act, Bill 38, dated June 3, 1992, to delete all Sundays except for Easter (51 per year) from the definition of 'legal holiday' and reclassify them as working days should be defeated."

It has been signed by a number of people from the good community of Uxbridge, and I, of course, sign my name to this.

STANDING ORDERS REFORM

Mr James J. Bradley (St Catharines): This petition is to the Legislative Assembly of Ontario, and it's most appropriate to the constitutional debate which is taking place in this House in which members will be limited. Here it is:

"Whereas Premier Rae of the province of Ontario has forced upon the Ontario Legislature a change in the rules governing the procedures to be followed in the House; and

"Whereas Premier Rae has removed from members of the opposition the ability to properly debate and discuss legislation and policy in the Legislature by limiting the length of time a member may speak to only 30 minutes; and

"Whereas Premier Rae, who once defended the democratic rights of the opposition and utilized the former rules to full advantage in his former capacity as leader of the official opposition, has now empowered his ministers to determine unilaterally the amount of time to be allocated to debate bills they initiate; and

"Whereas Premier Rae has reduced the number of days that the Legislative Assembly will be in session, thereby ensuring fewer question periods and less access for the news media to provincial cabinet ministers; and

"Whereas Premier Rae has diminished the role of the neutral, elected Speaker by removing from that person the

power to determine the question of whether a debate has been sufficient on any matter before the House; and

"Whereas Premier Rae has concentrated power in the Office of the Premier and severely diminished the role of elected members of the Legislative Assembly, who are accountable to the people who elect them,

"We, the undersigned, call upon Premier Rae to withdraw the rule changes imposed upon the Legislature by his majority government and restore the rules of procedures in effect previous to June 22, 1992."

LABOUR LEGISLATION

Mrs Elizabeth Witmer (Waterloo North): I have a petition which has been signed by the residents of Waterloo and Kitchener.

"We, the undersigned residents of Ontario, oppose Bill 40 and draw attention to the following:

"We object to the government's assumption that the only good workplace is a unionized workplace.

"We believe the balance of power is already tilted in favour of labour and that further tinkering will result in fewer investment dollars being spent in Ontario, loss of jobs and revenue and an increase of tension between labour and business.

"We believe that Ontario is experiencing a severe economic recession and that employers are already being challenged with existing and proposed legislation.

"We, the citizens of Ontario, did not ask for these changes.

"Therefore, we, the undersigned, do petition the Legislative Assembly of Ontario to resolve that Bill 40 be revoked immediately."

I hereby sign.

RETAIL STORE HOURS

Mr Kimble Sutherland (Oxford): I have a petition similar to the one the member for Durham-York had. It has 53 signatures on it, and of course that's against allowing Sunday shopping. The signatures come from all over my riding and also areas such as Tillsonburg, Waterloo, Aylmer and the fine little place of La Salette.

STANDING ORDERS REFORM

Mr Gerry Phillips (Scarborough-Agincourt): My petition is to the Legislative Assembly of Ontario, and it's timely with the debate beginning today, as my colleague said, on the Constitution. It says:

"Whereas Premier Rae of the province of Ontario has forced upon the Ontario Legislature a change in the rules governing the procedures to be followed in the House; and

"Whereas Premier Rae has removed from members of the opposition the ability to properly debate and discuss legislation and policy in the Legislature by limiting the length of time a member may speak to only 30 minutes; and

"Whereas Premier Rae, who once defended the democratic rights of the opposition and utilized the former rules to full advantage in his former capacity as leader of the official opposition, has now actually empowered his ministers to determine unilaterally the amount of time that's going to be allocated to debate bills they initiate; and

"Whereas Premier Rae has reduced the number of days that the Legislative Assembly will be in session, thereby, of course, ensuring fewer question periods and less access for the news media to provincial cabinet ministers; and

"Whereas Premier Rae has diminished the role of the neutral, elected Speaker by removing from that person the power to determine the question of whether a debate has been sufficient on any matter before the House; and

"Whereas Premier Rae has concentrated power in the Office of the Premier and severely diminished the role of elected members of the Legislative Assembly, who are accountable to the people who elect them,

"We, the undersigned, call upon Premier Rae to withdraw the rules changes imposed upon the Legislature by his majority government and restore the rules of procedure in effect previous to June 22, 1992."

I, of course, am affixing my signature to that petition.

RETAIL STORE HOURS

Mrs Elizabeth Witmer (Waterloo North): I have a petition that has been signed by the residents of Kitchener and Waterloo.

"We, the undersigned, hereby register our opposition in the strongest of terms to Bill 38, which will eliminate Sunday from the definition of legal holiday in the Retail Business Holidays Act.

"We believe in the need of keeping Sunday as a holiday for family time, quality of life and religious freedom. The elimination of such a day will be detrimental to the fabric of the society in Ontario and cause increased hardship on many families. The amendment included in Bill 38, dated June 3, 1992, to delete all Sundays except Easter (51 per year) from the definition of a 'legal holiday' and reclassify them as working days should be defeated."

I hereby affix my signature.

Mr Paul R. Johnson (Prince Edward-Lennox-South Hastings): I have a petition here from a number of the congregation of the Bethany Christian Reform Church in Bloomfield, Ontario.

"I, the undersigned, hereby register my opposition in the strongest of terms to Bill 38, which will eliminate Sunday from the definition of a legal holiday in the Retail Business Holidays Act.

"I believe in the need for keeping Sunday as a holiday for family time, quality of life and religious freedom. The elimination of such a day will be detrimental to the fabric of the society in Ontario and cause increased hardship on many families. The amendment included in Bill 38, dated June 3, 1992, to delete all Sundays except Easter (51 per year) from the definition of a 'legal holiday' and reclassify them as working days should be defeated."

1500

PESTICIDES

Mrs Elizabeth Witmer (Waterloo North): I have a petition signed by the residents of Kitchener and Waterloo.

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"We feel that the urban cosmetic use of synthetic pesticides and fertilizers is unnecessary since viable alternatives

exist. Pesticides are being registered, marketed and used with inadequate, incomplete, obsolete and invalid testing. No pesticide has proven absolutely safe. Pesticides have been linked to a number of serious health problems in terms of both acute and chronic toxicity. Many people are vulnerable to these effects, including children, the elderly and the environmentally sensitive. Pesticides and fertilizer nitrates contaminate surface water and groundwater and have been linked to a number of serious adverse effects on the environment. The manufacturing of some pesticides and fertilizers contributes to global warming. Pesticides adversely affect a wide variety of non-target beneficial organisms. Insects, fungi and weeds are becoming increasingly resistant to pesticides.

"Therefore, we request that the House eliminate the use of synthetic pesticides for cosmetic reasons in urban areas of Ontario immediately or by 1993 at the very latest."

RETAIL STORE HOURS

Mr Dennis Drainville (Victoria-Haliburton): I am presenting this petition on behalf of hundreds of citizens of my riding, who say:

"We, the undersigned, hereby register our opposition in the strongest terms to Bill 38 which will eliminate Sunday from the definition of 'legal holiday' in the Retail Business Holidays Act.

"I believe in the need for keeping Sunday as a holiday for family..." and it goes on in the same vein as many members in this House have presented.

Mr Peter Kormos (Welland-Thorold): I have a petition and it reads:

"We, the undersigned, hereby register our opposition in the strongest of terms to Bill 38 which will eliminate Sunday from the definition of 'legal holiday' in the Retail Business Holidays Act.

"I believe in the need"—we all believe in the need—"for keeping Sunday as a holiday for family time, quality of life and religious freedom. The elimination of such a day will be detrimental to the fabric of society in Ontario and cause increased hardship on many families.

"The amendments included in Bill 38, dated June 3, 1992, to delete all Sundays except Easter, that is, 51 Sundays per year, from the definition of 'legal holiday' and reclassify them as working days should be defeated."

That's signed by Gail Wemekamp from Picton, by Frank Koopmans from Picton, by a whole bunch of God-fearing, hardworking, committed people who know what's right and know what's good for communities and families in this province.

I've signed it because I agree with them and I support this position and this petition wholeheartedly, as all members of this Legislature should.

The Acting Speaker (Mr Noble Villeneuve): Thank you. I realize the member was ad libbing a little bit. I believe there is a bit more that came into Hansard than was in the petition. We ask you to please stay to the text.

INTRODUCTION OF BILLS

NORTHERN ONTARIO SENATE REPRESENTATION ACT, 1992 LOI DE 1992 SUR LA REPRÉSENTATION DU NORD DE L'ONTARIO AU SÉNAT

On motion by Mr Ramsay, the following bill was given first reading:

Bill 84, An Act to provide for the Representation of Northern Ontario in the Senate of Canada / Loi prévoyant la représentation du Nord de l'Ontario au Sénat du Canada.

The Acting Speaker (Mr Noble Villeneuve): Is it the pleasure of the House that the motion carry? Carried.

Mr David Ramsay (Timiskaming): Mr Speaker?

The Acting Speaker: A short explanatory.

Mr Ramsay: I appreciate having the opportunity to explain that this bill provides for the election of two senators to represent northern Ontario in the Senate of Canada.

FEFFERLAW DEVELOPMENTS LIMITED ACT, 1992

On motion by Mr Beer, on behalf of Mr Sorbara, the following bill was given first reading:

Bill Pr62, An Act to revive Fefferlaw Developments Limited.

ORDERS OF THE DAY

INSURANCE STATUTE LAW AMENDMENT ACT, 1992 LOI DE 1992 MODIFIANT LES LOIS CONCERNANT LES ASSURANCES

Deferred vote on the motion for second reading of Bill 164, An Act to amend the Insurance Act and certain other Acts in respect of Automobile Insurance and other Insurance Matters / Loi modifiant la Loi sur les assurances et certaines autres lois en ce qui concerne l'assurance-automobile et d'autres questions d'assurance.

The Acting Speaker (Mr Noble Villeneuve): According to a pre-planned vote, this will be a five-minute bell.

The division bells rang from 1507 to 1512.

The Acting Speaker: Mr Charlton has moved second reading of Bill 164, An Act to amend the Insurance Act and certain other Acts in respect of Automobile Insurance and other Insurance Matters.

All those in favour of Mr Charlton's motion will please rise one at a time to be recognized by the clerk.

All those opposed to Mr Charlton's motion will please rise one at a time to be identified by the clerk.

Ayes—59

Abel, Bisson, Boyd, Buchanan, Carter, Charlton, Christopherson, Churley, Cooke, Cooper, Coppen, Dadamo, Drainville, Duignan, Farnan, Ferguson, Frankford, Gigantes, Grier, Haeck, Hampton, Harrington, Haslam, Hayes, Hope, Jamison, Johnson, Klopp, Lankin, Laughren, Lessard, Mackenzie, Malkowski, Mammoliti, Marchese, Martel, Martin, Mathysen, Mills, North, O'Connor, Owens, Perruzza, Pilkey, Pouliot, Rizzo, Silipo, Sutherland, Ward (Brantford), Ward (Don Mills),

Wark-Martyn, Wessenger, White, Wildman, Wilson (Frontenac-Addington), Wilson (Kingston and The Islands), Winninger, Wiseman, Wood.

Nays—46

Arnott, Beer, Bradley, Brown, Caplan, Carr, Chiarelli, Conway, Cordiano, Cousens, Cunningham, Curling, Daigeler, Eves, Fawcett, Grandmaître, Harnick, Harris, Jackson, Jordan, Kormos, Mahoney, Mancini, Marland, McClelland, McGuinty, McLean, McLeod, Miclash, Morin, Morrow, Murdoch (Grey), Offer, O'Neil (Quinte), O'Neill (Ottawa-Rideau), Phillips (Scarborough-Agincourt), Poirier, Poole, Ramsay, Runciman, Sola, Stockwell, Tilson, Turnbull, Wilson (Simcoe West), Witmer.

The Acting Speaker: The ayes are 59; the nays 46. I declare the motion carried.

Shall the bill be ordered for third reading?

Interjections: No.

The Acting Speaker: What committee?

Interjections.

The Acting Speaker: The standing committee on finance and economic affairs. So ordered.

UNIVERSITY FOUNDATIONS ACT, 1992

LOI DE 1992

SUR LES FONDATIONS UNIVERSITAIRES

Mr Sutherland, on behalf of Mr Allen, moved second reading of the following bill:

Bill 68, An Act respecting University Foundations / Loi concernant les fondations universitaires.

The Acting Speaker (Mr Noble Villeneuve): Mr Sutherland has some opening remarks.

Mr Kimble Sutherland (Oxford): Thank you, Mr Speaker. It is my pleasure today to present for second reading Bill 68, the University Foundations Act, which will permit the establishment of university foundations as crown agencies. These foundations will receive and distribute contributions to support universities in Ontario.

This government is very much aware of the financial needs of Ontario universities, just as the universities are aware of the government's limited resources at this time. We promise to work with our universities to create new ways to address their funding concerns, and this legislation will give universities the potential to raise additional funds for educational activities and research by encouraging donations to universities by the public.

While this government initiative is a positive step, we fully realize that this legislation does not substitute for healthy public support of our universities.

Because the university foundations will be crown agencies, people making donations to them will get the enhanced benefits relating to donations to the crown under the Income Tax Act. Donors to universities now receive a tax credit that can be applied to only 20% of their income. Under the proposed legislation, donors would be eligible to receive a tax credit applicable to their full income.

The legislation proposes that each of the university foundations will be self-funded. The foundations will be administered by a board of directors composed of five to

11 members who will be appointed for three-year terms by the government.

At the end of each fiscal year, foundations will submit an annual report to the minister which will include a financial statement audited by external auditors. Under the legislation, the Provincial Auditor would also be able to audit the accounts and transactions of the foundations. Each foundation and the university foundation program itself will be subject to a sunset review after three years.

1520

This legislation comes in response to the urging of the university sector to introduce legislation along the lines of existing legislation in Alberta, British Columbia and Nova Scotia. Michael Garvey, the chair of the University of Waterloo's board of governors, for example, said that this legislation, by allowing additional funding from individuals, will lead to more innovation and enhanced research activities at our universities. Robert Prichard, the president of the University of Toronto, stated publicly that this legislation will widen the spectrum of prospective donors.

But one of the main benefits of the legislation is that it will encourage people who were making donations to universities outside the province to give to Ontario universities, because we no longer lack this legislation, which other provinces have. I am convinced that this new legislation is a very good example of this government working in partnership with the post-secondary system. This legislation will bring real benefit to our universities that will help faculty and students.

The Acting Speaker: Questions and/or comments?

Mr Hans Daigeler (Nepean): That was brief and sweet from the member, I guess. Even though, apparently, we're not going to move into committee of the whole, perhaps he will in his concluding remarks be able to answer some of the concerns and questions that we may have on this side or that some of his own members may have.

One of the questions I have is, why is it that the government will make the appointments to the university foundations, and why will there not be a sharing of appointments by the university community and the government? I will be speaking to the actual legislation a little bit later, but I would appreciate it if the member, at an opportunity this afternoon, would respond to this particular concern.

It is, of course, an issue that has been around for some time, and I'm rather pleased to see this introduced and hopefully passed today. However, I must say that at the same time I'm disappointed the minister himself did not find it appropriate to be here today to present this case which is so important to the universities.

Interjection.

Mr Daigeler: As my colleague here from Mississauga West just said, perhaps the member for Oxford has aspirations to be the minister, but we'll see whether he is up to the task today.

At this point, I would like to put on the record this particular question as to why you are making these appointments just by the government. I can see that you have a lot of NDPers who would like to get appointed, but I

don't think that's a sufficient reason to just leave it with the cabinet.

The Acting Speaker: Further questions and/or comments?

Mr Steven W. Mahoney (Mississauga West): I echo the comments of my colleague in the sense that we generally support this bill. I think, though, that we should be clear that this is really a form of damage control by this government because of what the government did. We all remember when the NDP came in and made promises that it was going to freeze tuition for university students, and then immediately increased those tuitions quite dramatically. They promised they would help make university education accessible to all Ontarians and then immediately took money out of OSAP to make it more difficult for people who need help.

Interjection.

Mr Mahoney: As my colleague from Ottawa says, \$10 million taken right out of OSAP. What that means is that the student who needs a loan—not a grant even, but who needs a loan—who otherwise would not be able to attend university is restricted in his or her ability to do that. Well, Kimble, shake your head; it absolutely does. If you can't get the money through OSAP in the form of either a grant or some additional loans, because the banks are tightening up, then it just makes everything more difficult.

Those are two moves, I might add, increasing tuition and cutting back OSAP, that are so counterproductive in the worst recession that anyone can remember since the Great Depression, when parents are struggling to be able to afford—I've got two boys at university, and I know the cost of going to university and how difficult it can be.

This government has done absolutely everything to make it more difficult for kids to go to school. They bring in a bill that will at least provide some tax relief for contributors to universities, but it clearly is damage control to clean up the mess they've created.

The Acting Speaker: Further questions and/or comments?

Mr Rosario Marchese (Fort York): I stand to support this bill, and speak of it not as a matter of damage control, as the previous member has said. I understand why he would raise the comments, and I also understand why he would not speak positively of a bill that obviously will do a lot of good for the universities that want to take advantage of this.

It's clear that the bill permits university foundations to be created by regulation for the 17 post-secondary institutions. We know there are many universities that want that, out of the 17 institutions. Clearly, every university should have its own foundation, because we know that students or the alumni of that university are very closely connected to the university they have attended, and once they leave it, they may want to make a contribution to their particular university and not another one. So it makes sense that we have individual universities setting up their own foundations.

What we are doing through this as well is to develop a partnership with people in the private sector or with individuals who want to make a contribution to a university,

and we are, through Bill 68, allowing them to do so. So it's a partnership we are creating through this founding.

Is that a copout? Is that damage control? We argue that this is not why we're doing it, but rather permitting, through enabling legislation, individuals to make that important contribution. I think that's something that should be supported and praised as opposed to being negatively attacked, as the opposition members will often do.

The Acting Speaker: We can accommodate one final participant in questions and/or comments. Seeing none, the honourable parliamentary assistant to the Minister of Colleges and Universities, the member for Oxford.

Mr Sutherland: I'm pleased to respond to the question raised by the member for Nepean. First of all, I think it's important to remember that these crown foundations are going to be crown agencies. That in itself is why the government will be making the appointments to them. But the minister and the ministry have made a commitment to set up an appointments protocol for these specific appointments that will include consultation and input from the university community, so they will be involved.

I must at this time respond too to the member for Mississauga West regarding the \$10 million from OSAP. He's quite correct that a \$10-million saving was put in for OSAP this year. But that saving was found not by those students who couldn't support themselves or who couldn't work this summer because of the difficult job market for youth; that saving was found by an increased contribution from those students who were working. I think it's key that we separate the two. It was only those students who were working who had to make the increased contribution. Those who could not find work were not affected, so the changes to OSAP did not make it less accessible for students to achieve post-secondary education this summer.

The Acting Speaker: Further debate on Bill 68?

Mr Daigeler: It's a pleasure to be able to speak a little bit longer than I had anticipated. Of course, I appreciate it on this particular bill which, for the university community, is a very significant one.

It's almost a year—not quite; 11 months—since I introduced in this House a private member's resolution that had precisely as its objective the establishment of these crown foundations. Since I was the one who put forward the motion last November and, I'm pleased to say, a motion that was supported by all three parties—the government as well as the third party supported my resolution—I'm obviously pleased to see this initiative come to the floor today, hopefully for third reading.

1530

When I first introduced this resolution, it had been brought to my attention during a visit to the University of Western Ontario. I would just like to take this opportunity to say that the University of Western Ontario should be congratulated on a very fine initiative. It is calling together, twice a year, MPPs, basically from the greater London area, to inform the sitting members about the concerns of the university, what's going on, to brief them so they have a better understanding of the issues that are around and to give them an opportunity to ask questions of faculty

leaders, obviously the president, also administrators and student leaders.

As you know, since unfortunately at the present time the Liberals do not have too many members from that area—I'm sure that's going to change very substantially again in the next election—the university invited the critic, myself, to attend these briefings for MPPs.

Even though my riding is Nepean in the Ottawa area, I did take it upon myself to visit Western on the occasion of these MPP briefings twice so far, and both times I must say I came away with a much better understanding of the concerns of Western and of the university community in general.

I just want to put on the record that I think this initiative should be repeated by other universities. Even in my own area of Ottawa-Carleton, it's not very often that the universities are briefing the sitting members on their concerns.

I do go there in my role as critic, but I think it's very important for the universities that want to increase their profile in the community to take the initiative to go out there and be proactive in terms of briefing the sitting members of all three parties in that area, on a non-partisan basis, to make them aware of their concerns.

Now, what's the connection with the crown foundations? The connection is that it was at that meeting last year, in fact in October last year, that representatives of the university community first drew that concern to my attention. They said that Western Ontario and several other universities were possibly losing substantial amounts of money to other provinces, British Columbia for example, because these provinces had these crown foundations for universities.

They asked me and the other members who were present to encourage the government to come forward with similar legislation so that the University of Western Ontario and other universities as well could take advantage of the same tax benefits as, for example, the University of British Columbia.

When I first heard it, I thought: "This is really a very good issue. I will dig into it and make some inquiries as to what's behind this." When I got back to Queen's Park I got in touch with the Council of Ontario Universities and it sent me briefing material as to what this was all about and what British Columbia has done on this question. Also, the development officer at Queen's University has been very active in terms of promoting and pushing this dossier.

I realized very quickly that, yes, this was an avenue to give very significant financial support to the universities but also to indicate through our action in a moral way, as it were, our support as a Legislature for the university community.

As members know, I am sure, the university community for some time has felt, I might say, left out or slighted because its funding has not increased in the same way that, for example, the funding for health services has increased. They have felt slighted because their funding increase has not kept pace with the funding increase for social services. I must say that was the pattern that started not just with this government, not just with our government, but with

the third party as well. It is true that health care and social services have taken a much greater attention in the public's mind and therefore also in the government's mind than the funding of universities and of higher education in general.

There will be opportunities at some other point to talk about these financing problems, but at this point I just want to point out that this act we're discussing today, the University Foundations Act, provides us with an opportunity to say to the universities: "You're still important. The work that you're doing is still extremely important for the wellbeing of our society and, yes, in as much as we can, we also want to provide the resources to you that we can."

This particular bill before us makes it possible for individuals to make relatively large donations—hopefully, large donations, although they can be smaller ones as well—and benefit by way of 100% tax deduction for their gifts. I'm sure not too many members and probably people out in the community as well are familiar with the fact that when you make a donation to an agency that's set up by the crown or a government agency, you can receive a tax credit that's 100% of your income. Normally, for all other charitable donations, you can get a credit for only 20% of your income. So obviously the receiving agency, in this case the universities, would be able to receive a much higher donation from a willing individual if that individual can take advantage of a 100% deduction rather than just 20%.

So this is really what's behind this legislation. It is, hopefully, to encourage significant donations, first of all, to be made so that the individual can take advantage of the tax system, and second, of course, that these donations be given to an Ontario university, because, as I mentioned, this system of 100% tax credit is already in place in other provinces. So if, for example, an Ontario resident is very convinced of the importance of universities and of the importance of university research and wishes to make a donation to that system, he can do it right now and he can take advantage of the tax benefits, but he has to make that donation, for example, to UBC.

1540

Even though I certainly am one to try to break down barriers between our provinces, still, if it is an Ontario resident, we would like him or her to consider an Ontario university first. We don't want to exclude him or her, we don't want to prevent him or her from donating to other universities. There are many alumni of very good universities from other provinces living and working here in Ontario, so certainly they should have that opportunity, but we certainly want to put the Ontario universities on an equal footing with the other universities so that at least the Ontario universities have a chance to get the same possible donations as the universities in other provinces.

When I introduced that resolution, as I mentioned, in November last year, I got a lot of letters from the university community thanking me for this initiative. I did appreciate the university presidents taking the time to acknowledge this resolution and extending their thanks for having this matter brought before the House. Ever since then the universities, through the Council of Ontario Universities, have been very active and very aggressive, might I say, to push this dossier. I wish to congratulate them, and

the president in particular, Dr Peter George, who relentlessly, I would say, has been keeping this matter before the government and also before the opposition parties so that this initiative would not fall between the cracks.

Unfortunately sometimes these bills, which are not perhaps at the top of the priority of the government, get moved off because other matters have higher priority, and then they get moved off for so long that ultimately time runs out and a new session is called, or perhaps even the Legislature is prorogued and they die in Orders and Notices. Rightfully so, the university community has been very interested and very concerned that this matter be dealt with, not just with first reading but also with second and third readings.

I must say that as late as a few weeks ago I myself was very concerned that this matter might not come to the floor of this Legislature in this session, because when I saw some of the priority lists that were put forward by the government, there was no reference at all to this particular bill. But when I spoke with the minister last week, he indicated that this bill was still of great interest to him and to the government and that if there was agreement with the other parties, certainly they were quite prepared to bring this into the House at the earliest possible opportunity.

I should say that I'm very pleased to see this move now, at this particular time when it's relatively early in the session, to get it over and done with and to be sure that we can get it passed in this session, because, who knows, with car insurance and Sunday shopping and casino gambling, there may be further filibusters, even though, of course, the government has tried to eliminate those filibusters, basically because of its own members. They're concerned that their own members would hold up their own legislative agenda.

I guess it has been through the wizardry of the new chief wizard of the NDP, David Agnew, that all of this has been put in place, that we can talk to any particular bill now for only half an hour and then we're cut off. That also eliminates the possibility for the member for Welland-Thorold and several other members who are opposed to initiatives of their own government to speak at length.

But I have been in this House now for five years and I do know that there can be various ways to make sure that different viewpoints, opposing viewpoints, are put forward. There's no guarantee in this House. That was, frankly, one of the greatest surprises that I found when I came here, that I had no real control over my own agenda and over my time, because you never quite knew what was going to happen next in the Legislature.

It's almost as with the Constitution: there are so many different interests and so many different people who have to be accommodated that it's very difficult to make a definite judgement on whether a particular bill will in fact be addressed and passed or not.

I think to have the crown foundations bill before us today is great. It will ensure that it does get passed. I'm absolutely certain that the university community is more than pleased to see this initiative taken at this particular time.

Peut-être que je pourrais dire que notre nouveau chef, M^{me} McLeod, était tout de suite très positive envers cette initiative qui a été proposée par moi-même en novembre dernier. Elle a même écrit une lettre au premier ministre Rae qui a donné et qui a exprimé l'appui de mon parti pour cette initiative du gouvernement. Malheureusement, ce n'est pas très souvent que notre chef puisse exprimer cet appui pour une initiative du gouvernement, mais, comme elle a été elle-même ministre des Collèges et Universités, elle savait très bien combien cette initiative est importante à ce moment-ci pour l'avenir des universités et comment cette initiative peut donner un appui, non seulement financier mais aussi moral, à notre système universitaire.

C'est à cause de ça que déjà, à la dernière session, pour dire exactement, le 11 juin, elle a écrit au ministre et aussi au premier ministre pour indiquer que nous, les Libéraux, serions prêts à avancer ce dossier-là le plus vite possible et à voter oui pour cette initiative le plus vite possible.

I'm pleased to indicate that with the support of the three House leaders, this particular initiative has now come forward. I'm very optimistic that the challenge that this legislation puts out there to the community will in fact be taken up by individuals out there. I must say that the timing in terms of getting the actual donations may not be as good as it could be because of the recession. I would expect that donations generally are down, and most likely this is similar for the university community.

But hopefully we will see an upturn in the economy very soon, even though the policies of the government are not helping this recovery and are certainly not speeding up the recovery, even though it would have been possible to help us out of this recession if the proper initiatives and steps had been taken by the NDP government.

We have been asking every day in the House what initiatives this government is willing to take to bring us back to full economic recovery and we've seen so far, unfortunately, very little. This probably means donations made possible under this act will not flow to the degree that perhaps they could, until we see the economy pick up steam again and move forward in the way we all hope for.

Nevertheless, that challenge is out there and I am sure the universities, once this is passed, will have a very active campaign to encourage communities, individuals and estates to make substantial donations to the universities. We have in fact a great tradition in this province.

1550

I know that in my own community of Ottawa-Carleton, Carleton University has benefited tremendously from the donations of individuals, especially the Greenberg family. In fact just about 10 days ago I was at the opening of the new Minto centre for advanced engineering. That project was begun, approved, under the Liberal government, Lyn McLeod being the minister at the time.

I can recall very well how my colleagues and I from the Liberal Party were invited to Carleton University and to talk with Mr Greenberg who, unfortunately, relatively soon thereafter passed away but who spoke to us really in very convincing terms especially about the need for advanced education and training in the engineering fields.

He was prepared to make very substantial donations to Carleton University to see engineering promoted in Ontario and in particular at Carleton. Donors are in fact out there, and it will be a question for the university community to be up to the challenge. I have no doubt that they will be.

There's one point and one challenge I do want to mention, because last year when I spoke about my resolution to bring forward crown foundations I did not get a chance to say so because we were limited in time then. I think there's a challenge for the university community to go out after these donations, but there is also a challenge to be very public and to be accountable for the funds they receive. I think university accountability is a topic to which of course I could talk and probably will talk at some length later on, but I think it is an issue that, in the context of this crown foundation, should not be overlooked.

I know that the minister, among the many task forces that he has, also has one on university accountability. They have put forward an interim report which I read with some interest. I should say, Mr Speaker, I had to get that report somewhat through the back door. I find it very, very difficult to get reports from the ministry when they are presented to the minister.

I can understand the hesitancy to make these reports totally public, but at least to the critics I think it would be fair if we can say the development of these reports—these are public moneys being spent to prepare these reports—if we as critics could also get a copy of these reports when they are given to the minister, and not only two, three, four, five months after they have been presented to the minister, when they are made public to everybody else.

Even though I had to get this interim report on university accountability somewhat through the back door, I do appreciate the work that has gone into this report, because it raises some of the concerns the public has out there. They're really not fully aware of how the university is spending its money, whether it's spending it effectively and efficiently, whether it's done in consideration of the concerns of the whole province or whether it's just basically the concerns of one university that is being looked at when they spend the money. There are a lot of questions that are in fact being raised by the public. About a year and a half ago, the standing committee on public accounts put out a report, and in it made certain recommendations that speak to this particular issue.

I would just like to put on the record, in the context of this bill on the establishment of crown foundations, that while we want to be very supportive of the universities and while we want to say, with our support, the support of my party for this particular bill, that yes, we value the universities and the work they're doing, we also want to say that there comes with it a perhaps sharper and clearer responsibility to be accountable to the public, to open up the doors and to take every step possible to make sure that government and the public feel comfortable with the way these moneys are spent and with the way in particular those donations that hopefully are going to be given, are being spent by the universities themselves.

To sum up again, as I indicated at the beginning, I'm very pleased to support this bill. It is an initiative that I proposed in a private member's resolution in November last year. Already at that time we found unanimous agreement in the House. I'm glad that almost one year later we now see this initiative coming to fruition.

What it does show is that if you are patient enough and if you are energetic and active enough for a long enough time, you can in fact get some things passed in this House, even though it may appear that it takes a rather long time. There is hope. With the collaboration and cooperation of all three parties, I think we can still achieve the steps that are of great significance for the community out there and for the university community in particular.

I do hope that while the government has taken the advice of the opposition parties on this particular issue, it will also be more open to the advice of the opposition parties on other matters relating to the university community, because what we all have at heart is the continued growth and the development of higher education in this province.

I see this particular bill as taking a significant step towards achieving this objective. Obviously, it will not solve all the problems; I don't think anyone is prepared to say that. But it's one element in a mosaic, one element in a continued building process. I'm pleased that we're taking this particular step at this time and I'm prepared to support it.

1600

The Acting Speaker (Mr Dennis Drainville): Questions and/or comments?

Mr Gary Wilson (Kingston and The Islands): I'm pleased to join in this debate on this bill and am pleased to reply to the member for Nepean on what he said in his comments.

As you know, he introduced a motion in November about this, and in fact he mentioned a letter from Principal Smith of Queen's, which of course has got my attention. Principal Smith has made known to me the importance of this to Queen's, since it is a national institution with alumni throughout Canada, and this will allow them to donate to their alma mater in a way that will be, I think, very beneficial to both the university and the alumni.

The member for Nepean quoted a paragraph from Principal Smith's letter, and I'd like to mention that again because it does set in highlight the importance of this. Principal Smith wrote, to the Premier, I should add:

"The concept has very important public policy implications. It provides an incentive to those in our society who are most able to contribute to increase their support for our public universities.

"Once the decision to make a substantial gift to higher education is taken by a potential donor, the existence of the crown foundations at Ontario universities may significantly increase the size of the gift. The fact that some provinces have already provided for the establishment of such crown foundations at their universities places Ontario universities at a distinct disadvantage. Members of our own group have lost significant potential gifts to other

provinces because of this fact. Queen's University has one benefactor who had indicated that our gifts would have been five-fold if we had a crown foundation in place."

So it is a very important concept that we have this measure to allow these donations to be made to our universities, especially at a time when funding is in short supply. I'm glad the member for Nepean has spoken out very strongly for this measure, and I congratulate him for that and say that we will be supporting it.

The Acting Speaker: Questions and/or comments?

Mr Mahoney: I want to congratulate the member for Nepean, who has a very strong grasp on issues that are important to our university community. I want to just give you an example of the difference that would have occurred had this bill been in place, say, a year ago, or back when the member introduced his private member's bill.

Erindale College recently opened, just a couple of weeks ago, the Kaneff Centre for social studies on the university campus. The reason it bears the name Kaneff, among one of many reasons, is Mr Kaneff's lifetime contribution to Mississauga and to the university community. He started the fundraising project in the corporate sector with a \$1-million donation to Erindale College. Now if this bill had been in place, Mr Kaneff would have been able to take a tax deduction for the full amount of \$1 million. As it happened, he would have gotten perhaps a 20% tax deduction for that contribution.

If you look at it in those terms, the contributions can be substantially larger, and as the member points out, you are able to self-direct your taxes into the university system. This is the kind of specific financing that perhaps governments should have been doing for years and should continue to do, where taxpayers are able to say, "If I contribute my money to the university of my choice, by getting a tax deduction I am therefore directing 100% of my tax revenue directly to the university." I guess you'd call it site-specific financing or any other such term, but it allows a tremendous advantage, I believe, to the university community to encourage private donations.

The Acting Speaker: Further questions and/or comments? If there are none, then the member for Nepean has two minutes for response.

Mr Daigeler: In my response I would just like to indicate again—because everybody else, I think, is very supportive of this initiative—why this particular bill, and why the timing is so important.

In a letter from the Council of Ontario Universities to the three House leaders on September 22, Dr George writes:

"At a practical level, the University Foundations Act will assist universities to attract revenues from the private sector and to plan more effectively for private fund-raising programs. Symbolically, passage of the act will attest to the Legislature's support of the vital role for Ontario's universities in contributing to the province's economic, social and cultural wellbeing.

"I urge you to work together to see that this act is passed soon. Rapid passage will send out a strong confirmation of public initiative in support of universities and

enhance our private fund-raising capacities by enabling the immediate establishment of university foundations."

Mr Speaker, I think here you have it, the request from the university community, and I'm very pleased that there is agreement from all sides. You have heard from the comments that have been made that, yes, we can say we support universities with this initiative. We're also sending that symbolic signal out there to the university community that inasmuch as we can, we want to help it in its difficult task, which is even more difficult in these recessionary times.

The Acting Speaker: Further debate?

Mrs Dianne Cunningham (London North): It's with pleasure that I speak in favour of Bill 68, An Act respecting University Foundations. But before I get into it, I would like to congratulate my colleague and friend the member for Oxford in his new status of parliamentary assistant to the Minister of Colleges and Universities and Skills Development.

I also at this point in time would like to thank him specifically for helping this project along, because he was a student at the University of Western Ontario when I first brought this to the attention of this House. At the same time that I compliment my colleague in his former life as president of the student council at the University of Western Ontario, I point out to both the member for Nepean and the member for Mississauga West that they too had an opportunity to bring this legislation forward, because I remember that in my portfolio as critic and certainly as a member of the standing committees, two of them, we raised this as an opportunity for the Liberal government to do the same thing. I should remind them that it's nice for them to say it should have happened a year ago, but they could have done it some four years ago.

I say that because I suppose I'm getting somewhat impatient with the way that governments operate in Ontario and especially within the last four years since I've been here. There are many policies, there are I suppose many valuable contributions that the public is offering to the government with regard to solutions for many of the challenges that we face in Ontario today, but one of the greatest challenges of all is meeting the needs of our students. Whether they be elementary, secondary, college or university students or whether they be people going back to school for retraining, there are many challenges to be faced.

Today university students, I should say, are struggling in many ways, but above all our institutions are struggling to maintain excellence in these very challenging times. There's a shortage of permanent, full-time faculty, and buildings are rapidly deteriorating. These are tough times for everybody. The transfer payments have been limited to 1%. My expectation is that next year the universities will receive 2%, as promised, and I will be reminding this government and certainly the Treasurer of the province of Ontario that the universities above all deserve their fair share of the tax dollar, and 2% is not an unreasonable amount of transfer funds for them to expect, given the promise. I'm certain that the parliamentary assistant and the minister

will be taking this strong statement to the cabinet table and I will be asking them from time to time how well they are doing in that regard.

Students are finding themselves in overcrowded classrooms at the universities, with outdated facilities and equipment. To my colleague the member for Nepean, who spoke earlier in his critic portfolio, and certainly the member for Oxford, it is our responsibility to visit and make ourselves aware as much as possible in a firsthand manner of what's going on at the universities. I can tell you that when many of us went to school some years ago at the universities of this province in the 1950s, we used to complain just a little bit then—

Mrs Irene Mathysen (Middlesex): The 1950s?

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Mrs Cunningham: Yes, it's true—with regard to equipment, teachers or class size, but we had one thing that I think stands out above all: We had the attention of our professors. They marked our papers, gave us feedback, gave us encouragement and knew our names.

Now we're asking our young people to attend universities in these tremendously challenging times when we're not looking at a growth in the economy, when we're not looking at opportunities in the same way we did then, although there are still many, and we're asking them to face classes in their undergraduate years of 200, 300 and sometimes, I was told at one of the universities last week, some 400 students. No wonder they want more input into the future policies that affect them as students and affect us as a nation, because we're looking to them for their leadership as we take on tomorrow's challenges.

Without the resources to produce a highly skilled workforce and advanced research facilities, Ontario will be unable to compete in today's global markets. Just today, the Minister of Skills Development and Colleges and Universities in fact released a couple of documents. I've got one here in particular. It's called the College Standards and Accreditation Council. This report was released today, although I wish it were released in this House. I'll have something to say to the minister about that, because I did expect him to be here so that we could respond to it. It calls for program standards and ways to assess prior learning experiences of adult learners.

Why do you think that in today's world we would have to have an established committee to take a look at standards of courses offered in our colleges? It's because today, more than ever before, we have citizens of this province—young ones and older ones—who want to upgrade their education and want to have that opportunity for as long as they live. We're encouraging it, but at the same time we want to make certain that our standards are those kinds of standards that when those people graduate or get their certificates they can be competitive, not only in Canada but in North America and around the world. I think we should say to the government that we wish it the best with this particular report.

Some days I wonder what takes us so long. What I will be asking, however, is, when will this take place? How much longer will it take so that we can be reassured that

our young people in our colleges are receiving courses at the standard by which they will be, first, able to get the job, second, be able to keep the job, and third, be able to do it in a manner that our industries and businesses remain competitive and become even more competitive in these challenging times?

Sometimes I'm sure that the government of the day becomes somewhat frustrated at the criticism of the opposition parties, but I look at it in two regards. First, it's our responsibility in a democracy to draw to the attention of the government areas where there are some shortcomings. Second, I think it's extremely important to help the government along in its agenda. For that reason, I raise the issue of training in this regard.

About a year ago, many of us were very excited about the Ontario training advisory bodies. We were hoping that everybody would have an opportunity to partake in discussions and to give the government some good advice with regard to the direction it thought it was moving in. All of us made ourselves available in our own communities to attend the hearings and to give our communities some good advice around where they ought to be advising the government with regard to skills training and appropriate courses. I should tell you that we've been somewhat disappointed, because we thought that the Ontario training advisory board, the major parent board, ought to be made up in a different fashion. I can tell you right now that the government did not listen.

I'm trying to find the riding of one of my colleagues, the member for Durham East, who is usually quite—what should I say? He's a good advocate for his constituents. I know he's listening very carefully right now because in his riding of Durham they were very concerned actually, and the college was very concerned, about the opportunity for input.

Mr David Ramsay (Timiskaming): Concerned about Gordie?

Mrs Cunningham: No, I don't think they're concerned about the member. I think that they're concerned about his coming forward and criticizing the government as appropriate. He should have been much more vocal, and maybe he will take this opportunity today to let the government know that it didn't listen.

These hearings went on, as you well know, especially in Durham, and people were given five minutes to make a presentation on something as important as a training board that would be responsible in two regards: first of all, for setting all the programs across the province for training and, second, something that's unheard of before: disbursing the funds.

I'm sure the member will agree with me that five minutes isn't long enough when you start asking members from the business community, members from the colleges, members from the education community and individual trainers to come before a committee to give their views. Five minutes simply isn't long enough.

Mr Gordon Mills (Durham East): It wasn't long enough.

Mrs Cunningham: No. I think that, in fairness to both of us, when we do something well we talk about it and when we do something not so well we talk about it then as well. I should be addressing the Chair, but it's hard to some days.

Mr Speaker, we're looking forward to speaking to the minister with regard to this report. This is a report on the community discussions, training in local boards. We got this after a lot of trouble, actually. As critic, I expected to get it when everybody else did, but I didn't; I had to wait a couple of weeks. I should have called the member for Oxford with regard to this; I had forgotten about his new position. I would like to have these kinds of documents sent to me as quickly as possible because I do get questions from the public and I would like to be able to answer them.

This talks about the consultation process and about the composition—who will sit on local boards. It talks about perspectives on training. Do you know what? After all those consultations there are no recommendations. Can you imagine that? I can hardly wait to see what I'm going to get from the minister next.

Getting back to the state of affairs at the universities, we are talking now about the need for resources in our universities. Bill 68 is one of those great opportunities. We see ourselves with the opportunity to create crown foundations. In the minister's words, he talks about how under this proposed bill—now, hopefully, we will have second and third reading today; it will almost be law—the government would establish a crown agency for each university in the province and then that agency would be responsible for taking in donations and distributing them throughout the institutions.

It's supposed to be a self-funded opportunity, and of course the proposal has been applauded by all the student councils and universities throughout Ontario. "Donors to the universities now receive a tax credit that can be applied to only 20% of their income." Those were the words of the minister in a speech to some academics in Toronto last June when this legislation was introduced. Under this new legislation donors would receive a tax credit applicable to their full income. The minister went on to state, "It's an effort to address the funding concerns of universities at a time when the government is facing a cash crunch."

Each university foundation would be self-funded and administered by a board of five to 11 members appointed for a three-year term by the government. At the end of each year they would have to file an annual report to the minister. The Provincial Auditor would also be able to audit the accounts and transactions.

I think all of us should be taking credit for this because it's something we certainly brought to the attention of the government some three or four years ago, and now we see it acting on this.

The precedent for this is the University of British Columbia. I can remember the member for Middlesex, the member for London South, the member for London Centre and myself receiving a letter from the University of Western Ontario advising us that if there is any way we could assist this legislation along, it would be much appreciated. That was because there was a specific case where a donor

had wanted to support the University of Western Ontario to the tune of some \$500,000. It was a bequest, and at that point in time, and actually even at this point in time and until this legislation becomes law, that donor would not be able to have the same kind of tax break he or she would have under this new legislation.

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The University of Western Ontario reminded us in one of our meetings, where we get together from time to time as elected local members and discuss the challenges facing the university, that in fact under a couple of circumstances they had to turn back this opportunity. It was our suspicion that perhaps that money could have gone to another university outside Ontario. Not that we don't think money should be going to universities across Canada; we do. But we certainly feel that where members of our community have as their first choice a university in Ontario, that's exactly where they ought to do this.

I think it's extremely important during these tough times when we are experiencing job losses, during these times of economic recession, and it's even more important that we support creativity, and that is exactly what this is all about. We should be supporting competitiveness and commitment to a well-educated workforce through our universities. Ontario must remain in the forefront of scientific and technological development and educational achievement if it is to maintain its competitive position in today's global economy.

Ontario universities make a major contribution to this province's competitiveness, and they play a vital role in the development of highly skilled human resources. There was a report that all of us were made very much aware of last November. It was a study released by the Alliance for Ontario Universities, which demonstrated the vital contribution universities make to the economic stability of the province. The study showed that each year—I think we don't give the universities enough credit. In fact, it's very difficult to get this point out, it really is, but the universities pump \$6.2 billion into the economy, and more than 138,000 jobs are associated with university operations.

Universities receive approximately \$1.9 billion from government, which means that for every \$1 the government invests in higher education, our universities generate some \$3. So I really feel we should be doing everything we can to support the universities in their tremendous challenge.

There's another way of getting more money into our universities. I think some of the credit ought to go to the students for a funding proposal that I read last week. This is from a group that's fairly new in Ontario. It's called the Ontario Undergraduate Student Alliance. We have the Minister of Colleges and Universities here to listen. What an opportunity. Although he's particularly generous in his time, it's few and far between, so when we have him sitting here in the House, I'm just going to tell him all the things I would normally do in a meeting, but in a very short period of time.

My understanding is that we'll be speaking for another 10 or 15 minutes, and then we'll be calling the question on this resolution. This funding proposal—and I'm quoting

from it—is, I think, extremely responsible. It tells us that since 1972, the total per-student funding to Ontario universities has decreased by over 30%, while the student-to-faculty ratio has increased by 25%.

My initial comments were realistic, and of course I had faced this experience myself. If you can imagine the funding to the universities going down 30%, the total per-student funding going down some 30%, but at the same time the student-to-faculty ratio increasing 25%, that means every faculty member has a quarter more students. I would guess that's being generous. I would have thought it would be a much higher number than that, but the students are telling us this.

"Years of constraint are characterized by extensive overcrowding, obsolete equipment, limited enrolment, inadequate research and library facilities and the elimination of numerous faculty positions. The recent transfer announced by the provincial government has only served to highlight the severe magnitude of the problem. Considering the unprecedented levels of debt now facing the province, it is highly unlikely that significant increases will be forthcoming in the foreseeable future."

I always congratulate the students because they say it like it is. I was very annoyed with one of the Liberal members last week when he stood up and bragged about being the only government in the last 20 years that managed to balance the budget or actually have a surplus—that was it—of \$1 billion. Well, Mr Speaker, the students are smarter than that. That was the same government that during four years of booming economic times increased the debt by over \$10 billion. I think that's what the students are concerned about.

I have to tell you, Mr Speaker, when the Liberals took over, the debt in Ontario was approximately \$24 billion, not counting two liabilities that I don't even want to talk about. That was after 42 years of our government, through two great depressions and two world wars. Now, during just four years of booming economic times, we have about 10.9 billion new dollars of debt. I'm going to leave those guys for the moment.

Mr Speaker, do you know the real crime, the real problem? In just two years this government has stuck us with another \$20 billion of debt. It's just irresponsible. Can you imagine saying: "I'm the government. I project \$60 billion to \$70 billion by the time I leave, maybe even more than that"? They stand up and say it.

These students are worried about that and this is what they're saying. They're saying right now, "Considering the unprecedented levels of debt now facing the province"—they're not talking about the deficit, they're talking about debts—"it is highly unlikely that significant increases will be forthcoming in the foreseeable future." They're right about that, because basically, people can't afford it.

Hon Bud Wildman (Minister of Natural Resources and Minister Responsible for Native Affairs): You're not suggesting we should increase it.

Mrs Cunningham: No, I'm not. For once, the member for Algoma and I are nodding our heads and saying, "You're absolutely right." We don't want any more debt,

so the universities are having to live under these constraints. There are ways of helping them out, and the member for Algoma knows that's what we're talking about today in Bill 68. It's a very helpful piece of legislation.

The students go on to say:

"Furthermore, given the economic climate facing the Ontario business community, the political viability of increasing private sector contributions through tax revenue appears to be nonexistent. Consequently, increasing pressure is being placed on the government to look to students to make up the gap."

Given what we are attempting to do this afternoon, which we recommended some four years ago—Mr Speaker, I have to tell you that—perhaps the students will change that paragraph just a little bit. They're saying:

"We believe that the burden should not be borne by students alone but that a partnership in funding our universities is the sole feasible option. Specifically, a workable solution demands contributions from all those who benefit from post-secondary education, including the public and private sectors, and finally, the students themselves."

We're seeing this from a group that I believe represents over 10,000 students in the province. I'm not certain of that number.

"We, as student representatives facing a future of increasing tuition fees and decreasing educational quality, offer this proposal as a starting point in the formulation and implementation of a long-term solution."

That's what we're missing, isn't it, Mr Speaker? We're missing long-term solutions.

Finally, they say:

"We support the government's efforts to begin to study the overall university system in this province and believe that significant restructuring is needed for Ontario to field a globally competitive post-secondary education system."

They go on to talk about three central elements:

"A central premise is that increased student contributions will not represent a financial barrier to education if they are facilitated through the implementation of an income-contingent loan repayment plan."

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That's my point, Mr Speaker. If we're to be helpful in this debate this afternoon, we should at the same time not only congratulate the government for taking our good advice and implementing these crown foundations as part of our way of supporting the private sector in their determination to assist the universities, but at the same time say that it's not new, that there are actually committees of this Legislature to support part of the proposal—and there's not enough time to read the whole proposal—of the Ontario Undergraduate Student Alliance.

I take just a short opportunity to speak with regard to the standing committee on social development's most recent report, which I believe was—it was certainly last winter, I believe—July 1992, more recently this summer. I'll just read into the record a couple of the recommendations:

"The committee endorses the review of Ontario's student assistance program currently being conducted by the Minister of Colleges and Universities, and all of our

recommendations are intended as a contribution to this important process."

The other most important recommendation:

"The committee recommends that the ministry investigate further the full implications of an income-contingent repayment system. The principles of accessibility and affordability outlined above should be considered as essential criteria in the development and evaluation of this investigation."

I can only close by saying that we're all interested in supporting the universities in their tremendous responsibility in Ontario. We take this opportunity to thank them for their tremendous contribution.

We would like also to say that from the standpoint of the provincial and federal governments, they know that they will lose some income taxes if they create such crown foundations but, on the other hand, they would provide a needed incentive to greater revenue for Ontario universities by increased donations from the private sector.

I speak in favour of this legislation on behalf of my entire caucus, and I hope that the government will bring this to its final reading in a very short period of time. Thank you for the opportunity.

The Acting Speaker: Questions and/or comments?

Mr Daigeler: I'm glad to see that the third party as well is supporting this particular initiative. While I express my own support again in the presence of the Premier, I do want to take this rare opportunity of having the Premier in the House to say that I support this particular initiative despite the terrible decision by the Premier to politicize the civil service.

I think if ever there has been an initiative by the government that warrants holding up the business of the House and, in this case, the business of the crown foundations, it's that pernicious appointment of David Agnew, who was the Premier's chief political adviser, to head the Ontario civil service.

As I've indicated earlier, I will be reminding this government and the Premier in particular that this particular initiative is taking Ontario in a direction which is American. I was very surprised to see the Premier, who otherwise insists so much on protecting the identity and the traditions of Ontario and of Canada in particular, move us forward with partisan appointments that really are contrary to everything that this Legislature and this province have been standing for.

I would just like to say that even though I would have liked to use the occasion of this bill to protest the initiative by the Premier to politicize the civil service, I do want to say to the universities that this crown foundations act is so important that I'm putting aside, for the time being, my deep frustration about this appointment by the Premier.

The Acting Speaker: Further questions and/or comments? If there are none, the honourable member for London North has two minutes to give response.

Mrs Cunningham: I'm going to take this opportunity today to share with the members of this House my gratitude for the ministry and the government coming forward

with this piece of legislation with regard to crown foundations for the universities.

I said in jest earlier, but it wasn't all jest, that this was drawn to the attention of the former Liberal government by me within months of my coming to this assembly and it was in cooperation with the then president of the student council at the University of Western Ontario, now the member for Oxford. So I will remind that government as often as I can that it had opportunities which it totally missed out on because, quite frankly, it didn't listen.

I hope that, as I say these things, the government of the day will understand that we in opposition from time to time have a responsibility to draw the best solutions to the attention of the government of Ontario and that's the intent I have in my capacity as the critic for Colleges and Universities.

I'm going to close today by reminding our government that a study recently advised us that universities pumped some \$6.2 billion into the economy and more than 138,000 jobs are associated with university operations. On the other hand, they receive about \$1.9 billion from government, which means that for every dollar the government invests in higher education, our universities generate \$3.

With that happy little piece of information, I will remind the Treasurer of the province of Ontario that he did in fact promise the universities 2% funding next year and I expect him to come forth with his promise. At the same time, I think he has on his side the students who are taking it upon themselves to contribute with higher tuition fees and the private sector that today will hear about this bill and will contribute whenever we can get our mitts on their money to help us out in these tough times.

The Acting Speaker: Further debate? As there is no further debate, Mr Sutherland has moved second reading of Bill 68. Is it the pleasure of the House that the motion carry? Carried.

Shall the bill be ordered for third reading? Agreed.

Hon David S. Cooke (Government House Leader): Mr Speaker, I believe we have unanimous agreement to do third reading of the bill now.

The Acting Speaker: If there is unanimous agreement to do third reading.

Hon Richard Allen (Minister of Colleges and Universities): I move third reading of the bill, Mr Speaker.

The Acting Speaker: Mr Allen has moved third reading of Bill 68. Is it the pleasure of the House that the motion carry? Carried.

Resolved that the bill do now pass and be entitled as in the motion.

EXTENDED HOURS OF MEETING

Mr Cooke moved government notice of motion number 15:

That, notwithstanding any standing order, the House shall continue to meet from 6 pm to 10 pm on October 13, 1992, and from 6 pm to 8 pm on October 14, 1992, at which times the Speaker shall adjourn the House without motion until the next sessional day.

The Acting Speaker (Mr Dennis Drainville): Is it the pleasure of the House that the motion carry? Carried.

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CONSTITUTIONAL AGREEMENT
ENTENTE CONSTITUTIONNELLE

Mr Rae moved government notice of motion number 16:

That this House consider the Charlottetown accord.

Hon Bob Rae (Premier and Minister of Intergovernmental Affairs): You will have to bear with me, Mr Speaker and colleagues. I have been speaking on this issue all day and I find that my voice is coming to a conclusion before the debate. What I would therefore like to propose to my colleagues in the opposition parties is that perhaps they would allow me to speak very briefly and perhaps follow on from me at that point.

I spoke earlier today at a joint meeting of the Canadian and Empire clubs and also spoke to students at York Mills Collegiate this afternoon, and I have to speak at the bar association of Ontario tonight. The spirit is willing but I'm afraid the larynx may be missing something.

I would like to say, therefore, that in moving this issue I hope you will allow me to take a place marker and to return to the debate at another moment, either later tonight or possibly tomorrow evening when I'll be in a position to speak at greater length. I will try to say a few words today. I realize I'll need unanimous consent if I'm to come back, so I would ask my colleagues to show some generosity in that regard.

The accord that was negotiated, and whose legal text has been released today, is an accord that I think speaks to the different parts of Canada. There is, I think it's fair to say, a need for us to communicate directly with the public about why a Yes vote on October 26 makes more sense and represents a sounder political judgement than a No vote on October 26.

Therefore, what I intend to do in the time I have provided, if my vocal cords are willing, is to give some sense to the House as to why I think the arguments I've heard so far against the accord should not persuade the citizens of this province to vote No. I think it's incumbent on us to respond to the arguments because they're made so strongly and with such vehemence.

Let me say at the outset that I do not regard it as a matter of patriotism as to whether one would vote Yes or No. Patriotism has been described—I think it was by Dr Johnson—as the last refuge of a scoundrel. From my experience, scoundrels have all kinds of refuge. Whether patriotism is the last one or not, I have no idea. What I do know is that to those citizens in this province who intend to vote No, I would say: “I do not question your patriotism. However, I disagree profoundly with your judgement and with your common sense, if you will, and with a weighing of the balance in favour of the Yes and the No.” I wouldn't say for a moment that anyone has the monopoly on patriotism or that anyone can wrap themselves in a flag more effectively than others.

Let me also say that I think it's important we recognize that reasonable people can disagree. It's important for us to

remember that, and in the emotion of the debate it's important for us to recall that there will never be a time when 100% of the citizens of the province will feel that something should happen one way or another.

Let's put this in some perspective. Let's recognize this is an issue on which people will have differing views. I think my task is to put before the citizens of this province the reason why, on balance, a Yes vote makes more sense and a reason why, on balance, the arguments for the No are not as judicious or sound as perhaps they have been presented.

I've heard it said, for example, that what is objected to most profoundly in the Charlottetown accord is that, like Meech, it makes some provinces and some citizens in some provinces more equal than others. I've heard it said that the trouble with the Charlottetown accord is that it makes some Canadians more equal than others. I've heard it said that we don't want any special status or any distinct societies in Canada, that what we want is a country in which everyone is treated exactly the same and in which there are no distinctions or differences between and among Canadians.

I would only say to those people that it is not my reading of the Charlottetown accord that we have made anyone more equal than anyone else, or that we are asserting for an instant that one part of the country is better than another part of the country, nor are we saying that some citizens are better than other citizens. Let me say very directly to the citizens of this province that there is nothing in the accord which grants, in my view, a special privilege or an unequal status to any particular part of the country.

Well then, what are we to make of the “distinct society” provisions? What do they represent? What are we to make of the aboriginal sections? What do they represent? They represent a reality: that while it is crucial for us to protect the principle of equality before the law, it is also important for us to recognize that not all Canadians are, if you will, exactly the same in all respects. In other words, the accord recognizes differences between and among us and it tries to establish a way in which these differences can be reconciled successfully.

I want to remind my fellow members that the question of what is distinct or what is particular about the country was not settled for the first time in the Charlottetown accord. Its origins, I believe, go back to the very beginnings of the country. Let us remember that, first of all, it was the Treaty of Paris in 1763 which recognized that there were treaties between the crown and between native people which, if you will, protected their status within British North America.

Let us remember that it was 11 years later that the Quebec Act was passed by the British Parliament with the specific intention of conferring and recognizing the distinctiveness of the province—it wasn't known as the province of Quebec but of what is now the province of Quebec—with regard to the position of Catholic clergy, with regard to separate school education and with regard to the question of the status of the Civil Code and the status of the French language.

We can argue among ourselves as to the reasons why in 1774—which, I would remind the House, is a year

before 1775—the British crown decided that it needed to consolidate its support north of the states of Vermont, New Hampshire and Maine. But be that as it may, it is a fact of Canadian history, a fact of our history, that the status of Quebec in 1774 was clearly recognized as being one that was worthy of special protection.

Then we go back to 1867. The Canadian Constitution is not the American Constitution. The Canadian Constitution is one that clearly recognizes what it is that is unique and special about different parts of the country. This was also true in 1867. In 1867 there were sections of the Constitution that clearly recognized, for example, that denominational schools would be protected, which clearly recognized that the school issue, which had divided Upper and Lower Canada, Canada East and Canada West, for 30 years prior to 1867, would be decided in favour of recognizing the particularities of the province of Ontario and the province of Quebec in establishing those balances.

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So to understand something of Canada, one has to understand that the concept of sovereignty has always been a relative term; it's to understand that there has always been a willingness to recognize what is particular and specific about this federation as opposed to others and that there's always been a willingness to recognize that there is a need for balance.

Have we found that balance? There are those who say, and further to the argument that I've just tried to describe, that in fact what's happened is that the accord now provides for a hierarchy of rights in which the Charter of Rights and Freedoms is now going to be subordinate to the so-called Canada clause and in which individual rights, if you will, are going to be subordinated to collective rights. That is the phrase that has been used by some to describe the intention of the Charlottetown accord.

I want to say to everyone in this House that I do not subscribe to that view. The lawyers in the Ministry of the Attorney General do not subscribe to that view. It is not the view that we have taken in the negotiations. It is not the balanced view of those who have looked at the language in the accord and have weighed it against the Constitution as it exists today.

The argument, for example, that this provides for some kind of a dictatorship, which I think is the phrase that's been used by one former Prime Minister of Canada, is an argument that, in my view, is utterly and completely wrong with respect to the accord that is before us today. I feel there's a need for us to be very clear about this; the Canada clause does not grant rights.

Let's start at the beginning of the document. It's the first thing you see when you turn to the substantive section with respect to the substantive proposals that are being made. What the Canada clause does is provide for a principle of interpretation, and in providing for a principle of interpretation, it says to legislatures and to courts, "Consider these things in balance, the fundamental characteristics of Canada, including individual and collective rights, including aboriginal government, including the 'distinct society,'" which is enumerated, in a sense, more clearly and is more precisely defined than it was in Meech Lake.

When you look at it in that way, what we are dealing with here is a balance, a balance that has been an effort to be struck, a balance that is in the best traditions of the makings of a Canadian Constitution and a balance that speaks to the need for us to reconcile this principle of individual rights and, of course, the concerns of collective rights.

If you believe that societies, groups and collectivities don't exist and should have no status in the Canadian Constitution and should have no way of being protected, then that's an argument that can be made. It is not an argument that I accept. It is an argument that flies in the face of our historical experience. It's an argument that flies in the face of our current sociological experience.

For example, to those who argue that the only thing the Constitution should provide for is individual rights in relationship to federal and provincial governments, without any exceptions, I say that would mean you'd have to get rid of section 1 of the charter, which Mr Trudeau, at that time, was in favour of. It means you'd have to get rid of the whole of the "notwithstanding" clause. It means you'd have to get rid of whole areas of the Constitution, for example, with respect to denominational schools, with respect to the existence of separate schools in Ontario and with respect to separate schools in the province of Quebec. It means that all those issues would have to be dealt with in that way.

There may be those who would say, "Let's do that." I say to those people that we do that at our peril, because it ignores something of our history and something that is specific and unique to all of us. We would also have to get rid of any sense of there being a collective right among aboriginal people. That's something that was tried in 1969 in the now infamous white paper, which was put out by the Trudeau government at that time. It was the argument that the Trudeau government made in the famous Nishga case before the Supreme Court of Canada in 1973. It's the argument that was specifically rejected by the Supreme Court of Canada at that time.

The fact of the matter is that there are collective rights within a federation, that there are rights that we recognize, but let me say this not in some absolutist sense and not in any sense of there being rights that are better than or more powerful than other rights, but only in the sense that we are always trying in difficult circumstances to strike a balance.

For example, and I refer to this not to single her out in any particular way, I heard Sharon Carstairs on the radio the other day in an interview say, "Well, you know, the drafters didn't do a very good job because it's quite possible that some of the rights that are referred to or the groups that are referred to in the Canada clause could in fact collide with one another, and if they had made their minds up or knew what they were doing, they would have made it very clear." I just want to say to everybody: "Of course."

Alan Borovoy wrote a very good book called *When Rights Collide*. I commend it to members. It's a good example of the best of our legal and political thinking at work today in Canada. No rights are absolute; we always are involved in finding balance and attempting to seek a balance, and our Constitution does this. The existing charter does it in section 1. As I've already pointed out, we

have the "notwithstanding" sections, we have the interpretative sections which already exist which talk about multiculturalism, so we have a whole variety of ways in which we are striving to find balances in terms of the way in which the charter will work and how it will relate to the Canada clause.

On this first point, on the argument that has been made that there's something profoundly wrong with a Constitution which recognizes specific characteristics or fundamental characteristics or which attempts to describe how groups of people, linguistic and otherwise, work and need some recognition, that this of necessity means that our Constitution isn't the way it should be, I would just say, well, this is the way the Canadian Constitution always has been, and what we have done is build on that in the traditions that we have inherited as Canadians.

The second argument that's made is that, to be very direct, with respect to issues involving equality rights between women and men. The argument is made that the document taken as a whole somehow threatens the rights that are clearly set out in the Charter of Rights and Freedoms with respect to gender equality. I want to say to honourable members again: That is not my view, that is not our view, it is not the advice that we're getting from our own legal people. It is not the sense of balance that we're getting from private citizens who have looked at this in what I think is a reasonable way.

It doesn't mean that there isn't room for argument; of course there is. It does mean that when we look at the document, we think what we have here is an intelligent and reasonable balance that in fact ensures that the principle of gender equality will prevail. It will prevail because of its clear statement in the Canada clause, it will prevail because of its clear statement in the charter in section 15, it will prevail because of its clear protection in section 28, and it will prevail because of its clear assertion in section 35 and the sections dealing with aboriginal and treaty rights.

I know there have been many people who've raised concerns following on from the concerns that were raised by aboriginal women. I want to state first of all that this government consistently supported the principle of gender equality as it related to participation in the constitutional talks, as it related to the question of appropriate funding from the government of Ontario and as it related to the principle of the language and the substantive rights which are provided for in the new section 35, which will be the foundation of the inherent right to self-government and aboriginal and treaty rights.

It's our view that in terms of the workings that have gone on recently, a successful effort has been made to incorporate and recognize the need for us to be very clear on the principle of equality. We think the language does that in a clear and unequivocal way.

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Then it is argued that the reason people should vote No is because, like Meech Lake, the constitutional amendments require that provinces which opt out of shared-cost programs will in fact be compensated by the federal government.

Let's be clear about what is being suggested. Let's be clear, first of all, that what is being suggested is exactly the same wording as what was suggested in the Meech Lake accord. I find it ironic, to put it mildly, that there are many people on the No side in Quebec—in particular Mr Lucien Bouchard, who was in favour of the Meech Lake accord and who is now putting his name to a document which is specifically critical of this section—saying that it's inadequate.

Let's be consistent here. If it was adequate in 1990, it's adequate in 1992. I think Mr Bouchard owes everyone an explanation as to why something which was okay in 1990 is somehow now not okay in 1992. Let's be consistent. I think we should ask the same of those people.

I will say that those in English Canada, particularly Judy Rebick, for example, and others have been very consistent. They were critical of Meech Lake for the same reason as they're critical of this document. Their concern, if I've heard it right—and I have been listening to the arguments for some time—is that the federal government's unquestioned role in putting forward spending programs, whether they're in areas of federal or provincial jurisdiction, should be clearly stated; second, the right to compensation by a province which is opting out can only be granted if it is absolutely clear that the program is in every respect entirely the same as, or meets the same precise standard as, the program which is being put forward by the federal government. Let me say to those people that the difficulty that I have with the argument is really twofold.

The first difficulty I have with the argument is that it ignores quite a lot of our history with respect to the emergence of social programs in Canada. The fact of the matter is that if you look at our most extensive social program, which is medicare, this is a program that was started in a province, and not started out of thin air. It grew out of a long experience, 20 years. Medicare was 20 years in the making. It didn't just happen overnight; it was 20 or 25 years in the making: the process from 1944, the hospital insurance beginning, and then expanding as the system expanded in Saskatchewan.

Therefore, the argument that new programs can only come out of Ottawa and can only really happen when they're simply imposed by Ottawa on the provinces, when they're in areas of exclusive provincial jurisdiction, and that the provinces should have really very little to say about the direction and nature of these programs and how they are to be run and manned and operated in an area of exclusive provincial jurisdiction is a little bit difficult for me to accept.

I suppose if we lived in a unitary state, it would be possible to say, "That's the kind of world we have," that it's the Ottawa bureaucracy and the politics in Ottawa which are going to produce these programs. I would argue rather that it's much more likely that what will happen with respect to child care, for example, is that one province, or perhaps two or three provinces, will work together in developing what a more broadly based program should look like.

I'm not announcing such a program today—that moment may come—but I think it's important for us to

recognize that that will then be taken by the federal government as the basis upon which a similar program can be announced that will involve other provinces which may not have the means or may initially not have the political will to carry out such a program. But the means and the political will will be found in response to the demands that will come from citizens. That strikes me as a more likely scenario in a federal state than one which says Ottawa is going to simply impose it.

Now it may be that Ottawa will impose it, and if that were to happen, I can only say that the principle that a province should be compensated in its own area of exclusive jurisdiction provided that it brings in programs that meet the national objectives of a federal program is quite reasonable.

The argument that's been made to me that "We will never have another cost-shared program" or "We will never have a national day care program specifically" and "We will never have a national, long-term care program" or "We will never have a national, universal disability insurance program," to mention some of the ones that people are talking about in a general way, to say that the Constitution will somehow prevent those is false.

What will prevent those and what has prevented those is the absence of political will and the sense in Ottawa that they don't have the money to do those kinds of programs. That's the commonsense reality. We mustn't make the mistake of putting all of our arguments on a constitutional plane and expect and ask that the Constitution will solve all these questions.

Similarly, while the social charter, of which I'm very proud as an integral part of the new Constitution, as an addition to section 36 of the Constitution, enshrines some basic programs, including the five principles of medicare as they are now enunciated in the Canada Health Act, there are those who say: "Well, that doesn't go far enough. I want to see those enshrined in the Constitution in such a way that they can be immediately justiciable"—in other words, a citizen can immediately take those rights and sue for them in court instantly—"and unless that's there, you don't have anything at all."

Let me suggest that we have to reach a balanced judgement as to whether we really think the courts are the best place to determine some important questions about how budgets are to be organized and how our programs are to be operated. I myself would certainly have been happy with and argued in favour of a bit of a hybrid where there would have been a greater degree of ability to assess and review, in a formal way, the commitments of governments to the level of programs required to meet a national standard. I was not successful in persuading my colleagues that this is something that should happen. I'm still convinced that what we have represents progress.

I had a meeting this morning with a group of senior citizens of Ontario, a very distinguished group of people representing really quite a wonderful range of experiences across the province. The concern was raised with me, saying: "Premier, what do we do if we get a government that doesn't believe in medicare? What do we do? What happens if we have a government, or two or three, that no

longer believes that these principles are important? Is there nothing we can do? Shouldn't we have some constitutional protection in the event that we elect governments that don't believe in medicare?"

My answer to this is the following. We have to make a judgement. As I said, I would have been happier if it had gone further. There are others for whom the very idea of a social charter was not exactly the first thing that occurred to them when they woke up in the morning. I heard one Premier refer to the social charter as "Bob Rae's socialist charter," so you can imagine how enthusiastic he was about endorsing the language that's in the accord. Nevertheless, that Premier did endorse it. I think it's important to stress that.

What happens? The first thing is that there is a fundamental issue here of democratic philosophy, and that is that there will be times and occasions on which governments will be elected that have differing views. The extent to which we constitutionally limit how much they do is an interesting question. My own view is that when it comes to something as fundamental as universal health care, medicare as it's known in common parlance, it should be pretty clear that this is a basic social policy objective that's shared by Canadians and does speak to some very fundamental values that Canadians have.

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At the same time, I want to stress very strongly that to say that it's not justiciable does not mean that it is not enforceable. Oh, yes, it is. There are very clear provisions in the accord for a process of review and for a process of interprovincial and federal-provincial negotiation to ensure the integrity of programs. So the argument that somehow these are all quite meaningless is I think unfair to the nature of the process, the nature of the gains that we have made.

Let me stress as well that the argument that we should have done more; for example, I know my colleagues from the Conservative Party—the leader is here. I've appreciated his words of advice throughout the process and he has indicated that he wished we had done more with respect to the issue of the common market clause and the breaking down of interprovincial barriers. I want to say to the leader that the language which is found in the political accord, which provides precisely for the breakdown of those barriers and represents I think a significant advance over where we are, is language that was not only acceptable to me—part of it reflected our draft, the draft that came from the government of Ontario—but we were quite prepared and remain quite prepared to see that language entrenched in the Constitution; other governments were not.

The issue then became, well, then, do we force it through a seven and 50 or do we attempt to create the kind of consensus that we've been trying to create and deal with it on the basis of saying that we will work together towards this objective? I'm emphasizing very clearly—it is, I think, set out in the new section 36—that it's now set out clearly in the political accord that's tied to the section of the Constitution on the common market that this is now a common obligation and a common vision that governments share.

I think it's fair to say there were governments, not all from different stripes—the government of Quebec, the

government of Saskatchewan, the government of British Columbia, other governments—which were concerned about the nature of this balance and whether we'd got it right and they wanted to still reflect on it. They were very concerned about it. I think we had to listen. That's what we did: We listened. It wasn't a question of some ideological agenda coming from me or from this government, not at all. It was a matter of our being willing to listen to positions that were being taken by others and being constructive in that regard.

I've heard many arguments, and they vary from very strong to what I would frankly regard as fairly mean-spirited, against the accord. I've tried to respond in what I've said today to some of them. I don't know whether time will permit me to respond to all of them. I do want to stress, however, to members that what we have achieved represents a considerable advance over where we've been.

I met today at lunch with the former Premier of the province, William Davis. Partisanship aside—when he was the Premier I was sitting over there where the leader of the third party now is and we had words exchanged, many an epithet back and forth in the first four years of my leadership of the New Democratic Party of the province of Ontario—I was interested in his comments today to me. He just said, "The principle that you worked for is very much the same as the kinds of things that we were trying to work for in 1971 and in 1981;" in 1971 when the Victoria charter nearly made it and didn't; in 1981 when we succeeded in achieving patriation but without the participation of the native people and without the participation and approval of the legislative assembly of the province of Quebec.

There are those, and they come from all sides of the spectrum in a sense, who say Quebec is just blackmailing the rest of Canada and it's time that we said no to this blackmail.

I want to deal directly with that argument, because I think it's so false and I think it's so unfair. We have to deal with it directly. I think that of all the arguments that are made against the Charlottetown accord in this province, I would assess that the one which hardly dares to speak its name but which lurks in many parts of the country is the argument that says: "Let Quebec go. They've got a good deal in Confederation." I heard somebody say the other day: "What do they want? The Prime Minister comes from Quebec. The Chief Justice comes from Quebec. They've got this, they've got that. What do they need anything more for? Let them go. If they're not happy here, let them go."

I think it's important that we respond to this argument and that we respond to it in a very practical way. I want to stress that I wouldn't hope to get the people who feel that way to abandon any innate prejudice they may or may not have. But what I can appeal to, it seems to me, is their sense of reality and their sense of what the consequences are of simply taking that view.

It's true that Quebec is extremely dependent on the Ontario market, and it's true that in economic terms they're twice as dependent on us in terms of their exports to us as we are on them. It's also true that the volume of trade, and I've asked our people to do some work on this, between Ontario and Quebec is worth \$23 billion. Our economies

are linked in so many practical ways. This is not some minor part of the lives of Canadians. This is quite fundamental to what has grown up over the last 300 years and it's important for us to realize this. I'm not getting into the arguments, because I don't feel totally qualified in respect to what happens if, and all the various scenarios that are portrayed. My thinking is much more mundane than that.

Mr James J. Bradley (St Catharines): What was that figure?

Hon Mr Rae: It was \$23 billion.

When we look at the structure of this Confederation that we have created, it is a structure of mutual dependence. What we also know from the history of other federations is that once the rhetoric gets set off, it's a rhetoric that can frequently squeeze out common sense and practical judgement. It would not be difficult for a Premier of this province to whip up sentiment against any part of the country, in particular against the province of Quebec. But let me ask my fellow members, what do you think has driven virtually every Premier, and before that every first minister, to attempt to find a reconciliation? Was it simple generosity of spirit? Well, it was in part. One hundred and fifty years ago—I see the member from North York is here—it was Lafontaine who was elected in his constituency and Baldwin who was elected in January 1843 in Rimouski.

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Why did that happen? Well, yes, there was a generosity of spirit, and yes, there was a determination to create a common force of reform, an accountable government that would recognize the nature of the country, and in which the most generous spirits always recognized that there was nothing to be gained in denying the rights of minorities and nothing to be gained in particular, and we say directly, by denying the rights of those of our fellow citizens in this country whose first language is French—nothing at all.

Those who say that if Quebec seeks some recognition of its distinctiveness, this represents some kind of blackmail, I can only say to those people: In that case, every round of negotiation which has ever taken place in the history of mankind is a history of blackmail, and I don't believe it.

The member from Mississauga is here. He and I have had a difficult relationship over the years, which I am attempting in vain to improve. But I would say to him that his father was a very distinguished first national director of the United Steelworkers of America. Was he a blackmailer because he tried to negotiate on behalf of the membership of his trade union? Is that blackmail? Is it blackmail if a group of people comes in and tries to negotiate on behalf of itself, tries to improve its lot, tries to improve its conditions? No.

This is an argument that must be confronted head-on, because it is an argument that is blind. In my view, it misses the point. It is ignorant of the fundamental realities of the give and take of Canadian life.

Native people are not blackmailing us because they're seeking some recognition in the Constitution. British Columbia is not blackmailing the rest of the country because

it's seeking some recognition of the principle of representation by population. Prince Edward Island is not blackmailing us because it's asking that it continue to be grandfathered at four seats, even though representation by population would not grant it that principle. The province of Newfoundland is not blackmailing the rest of Canada because it is asking for a recognition of what it is going through economically, when in the space of a week it lost 20,000 jobs in the fishing industry.

There is no blackmail in a request from any part of the country for a recognition of what is distinct and particular to it, so long as we all understand that not all demands can be met and that there will always be a process of give and take.

That's what there was at Charlottetown. It was a process of give and take. Somebody said to Mr Bourassa, "How can you say that you won things when there are people who are saying that you didn't get everything you asked for?" It will come as no surprise to members of this House that I didn't get everything I asked for. I never have and I never will and I wouldn't expect to, but there's nothing wrong with asking.

It's just common sense. It's called bargaining; it's called negotiation. It's a part of life, it's a critical part of life and it's a part of our lives which we have to accept as being normal to a federation, normal to any body politic. There is no way that a body politic can survive if every assertion of a right or every assertion of a need is somehow regarded as blackmail.

I've spent some time on this argument and I've spent some time, as I have all through this speech, in responding to the arguments against, because there's a need to confront them and to name them and to say, "No, it's not a personal thing." This isn't some personal conflict between me and Pierre Trudeau or between me and Preston Manning or between any one of us and another individual. We're not name-calling. What we're trying to do is name the arguments and deal with the arguments and allow our fellow citizens to deal with them.

I've heard citizens of Ontario, for example, say, "Why should Quebec get 25% of the seats?" Well, let me try to explain, because I don't think it's hard to explain. I don't think it's hard to appreciate the dynamic of, what is it that went into that? What's the thinking behind that? Well, the thinking started with the Senate, and it started with the question of how we are going to resolve the question of equality.

I can remember the silence with which I returned to the House on July 9, and that people were saying: "Well, Premier, we're a little sceptical about this idea. You said you wouldn't do this, and now you'd better explain it to us." When Quebec came back into the negotiations, in my view it was important for us to maintain the principle of equality of representation in the Senate because it represents such a significant, symbolic issue for western Canadians.

At the same time we had to ensure that our own interests were protected as the most populous province, and we had to ensure as well that the interests of Parliament were protected in terms of the ability of Parliament to operate efficiently, and of course we had to make sure that no one

part of the country felt particularly vulnerable as a result of these changes.

The fact of the matter is that Quebec has always had more than 25% of the seats in the House of Commons. More. The second fact is that there are a number of provinces for which we have made special arrangements or with which we have reached special understandings because of their population, because of the need for us to recognize the principle.

The principle of rep by pop has never been fully and totally implemented in Canada. Our representation in the House of Commons goes up. It should. It has and it should. I insisted that it should, and this was recognized eventually by others as being a wise and sensible thing to do. But we haven't got representation according to our population. I haven't insisted on it to the letter. I didn't insist on it to the letter, because to insist on it to the letter wouldn't have involved taking seats from Quebec; it would have involved taking seats from the Maritimes, from Manitoba, from Saskatchewan.

And to what end? In order to get a more perfect mathematical result, we create incredible ill feeling and a sense of loss and hardship and resentment in the rest of the country. No, that's not statecraft, or not even smart. You don't pursue your self-interest to the point where you end up creating more resentment and more opposition than is worthwhile in the federation. We don't need these victories. They'd be pyrrhic victories, victories which would end up causing more problems than they would solve.

The issue then became for Quebec: "Well, wait a minute, we do feel vulnerable in this new Parliament. We've gone from 24 senators to six, and we're concerned about the future demographic problems. Either we go to an unequal Senate, or"—they weren't demanding this. It wasn't some demand where they said, "I've got to have this." In fact, it was proposed by other provinces. It came out of the discussion with others saying, "Well, how about if we were to do something in the House of Commons?" That's how it happened.

In my view, the result is a reasonable one. Sometimes it's difficult for people when you just show them the accord, and no one really knows the to-and-fro, the balance that went into finding the result. People don't understand why such an agreement was made or such a thing was concluded, and that's why it's important for us not just to read the accord but to try to recreate the sense, the dynamic, the balance that went into the solutions that we found.

In northern Ontario, I think it's fair to say, and in southern Ontario, there's a concern about native rights. There are people who say: "Well, wait a minute now. You've created another level of government. We don't know how much it's going to cost, we don't know what their powers are going to be and we don't really know what this is all about and we don't like it."

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Again, I think it's very important for us to distinguish between our ability to convince people to overcome whatever their private feelings may be from what it is that makes sense from the point of view of the best interests of the province. What we have to do, what any government

has to do, what any government has a responsibility to do is to create a framework that will engender social justice, social peace and social order.

The principles of peace, order and good government are fundamental to the Canadian Constitution. It is interesting, that the American Declaration of Independence and the American Constitution are based on the values of life, liberty and the pursuit of happiness. The Canadian Constitution is based on the principles of peace, order and good government.

We've all moved away from those absolute principles and tried to strike some balances. The Charter of Rights represents a move to the direction of enshrining freedoms and providing for that protection. What's interesting is that we reverted to the old phrase, "peace, order and good government," in dealing with the issue of the transition from the government structure as it is today to this devolved self-government which is going to be negotiated over the next number of years. I think it's wise. I think it's sensible.

All one has to recognize is that the courts have already indicated a clear direction of their thinking with respect to aboriginal rights in decisions which go back years. Second is the direction that is coming to us from our growing understanding of the nature of what took place 500 years ago, the consequent colonization and the imbalances this has created. While we can't go back and rewrite history, where do you come from if half your family comes from one part of the world and the other half comes from another part? We're all here. We can't put the genie back in the bottle. But what we can do is create an orderly way in which a new reconciliation can take place on a realistic basis.

That's what we have to do. It has to be orderly. It has to be based on the principle that we don't want any more hocus, we don't want any more conflict between guys armed with Uzis coming up from the United States. We don't need this. What we need is an orderly, intelligent way of resolving these issues in a way that treats people with respect, with a sense of decency, and which also provides for an orderly transition. That's what we want and I think that's what we've aimed to get and that's what we've achieved. Now, is it perfect? I'll come back to that argument in a moment.

Let me deal with one more argument that I've heard from the Noes, that is, "All you've done is provide for an endless process of negotiation." I heard Mr Parizeau say that last night. Then I heard Mr Manning say it in an advertisement last night. False, because it plays tricks with words. It asserts there's no difference between the negotiation that takes place every day with respect to what level of government should do what, how the balance of Confederation should be struck and how federal-provincial programs are working.

I know the member for London North, for example, has a very keen interest in issues of training, human resources and apprenticeship. She knows as well as anybody in the House that there's too much duplication and too much confusion in jurisdiction between the federal and provincial governments, and we have to do a better job. That's exactly what we're trying to do, and we know

perfectly well that the member from Mississauga feels the same way. This issue is before the House and it should be before the House.

Let's not confuse that with the notion that is being put forward by some of the proselytizers for the No that in the event of a No, the negotiations would stop, or that in the case of a Yes, the negotiations will continue on an endless basis. Oh, no. Let's recognize the reality. A vote for the Yes will resolve some of the most difficult and most fundamental questions about the federation that have become more and more troubling.

If we do not resolve that question now, it will still be before us, and it will be before us in a much more difficult and contentious way, in a way that will tend to preoccupy us more, in a way that will tend to divide us more and in a way that will be even harder to resolve.

I don't choose my words lightly. I'm giving the House the benefit of my judgement, having watched negotiations from opposition and now as Premier. I'm not threatening anybody; I'm not parading the horrors; I'm simply describing what I think is a reality.

I also think it's less than fair to compare a negotiation as to how a program will operate or a negotiation of how self-government will work with an existential confrontation about the very existence of the country. I mean, if I had to make a choice between those two, I can tell you which I'd choose and which I would try to resolve: in favour of the former rather than the latter.

I want to conclude. I misled the House inadvertently when I said that I wouldn't take a long time and that my voice would give way. My voice hasn't been great, but the spirit has been more than willing, and there are many things I want to share with the House today.

I'm concerned. I'm concerned that we might miss an opportunity. In the search for the one thing that isn't there, or in the exaggerated sense of grievance that is now such an important part of our political culture, or in the extraordinary impact that the adversary system is having on our overall political life, I am concerned that we not miss an opportunity. People will say, "Well, it will come again." I don't know that, and let me say that no one knows that. Anyone who says he does know it is kidding himself and is kidding the public. We don't know.

What we do know is what we have. What we have represents significant gains for the country and a significant accommodation. I don't believe that the visions that have been put forward—and often they haven't been visions—that the arguments that have been put forward against the accord could possibly provide the basis for national reconciliation. I don't think Mr Manning's vision would work for 30 seconds in reconciling the country in all of its differences. I don't think Mr Trudeau's vision can do that any more either. It wasn't able to reconcile them in 1981. It won't be successful in reconciling them today.

We all know the high regard in which Mr Trudeau was held, still is in some parts of the country—perhaps not when he left office but now. But I look at what he said, and frankly I just think it was the kind of polemical attack one would expect from somebody who'd never held public office in his life. I couldn't believe that somebody who'd

been Prime Minister of this country for 15 years could resort to such a level of argument in attempting to heap scorn on the legitimate efforts of his fellow politicians in finding a solution to what had proved to be very difficult and intractable problems.

La vision de M. Parizeau ou la vision de M. Bouchard, c'est absolument impossible que cette vision ne puisse jamais concilier ou représenter un rapprochement entre Canadiens. Ce n'est pas l'intention, parlant franchement. L'intention de M. Parizeau, c'est le démantèlement de la fédération canadienne, la fin du Canada. Il faut le dire, il faut le nommer honnêtement. Honnêtement, ce qu'il veut vraiment, c'est la fin du Canada. Il devrait le dire publiquement et plus clairement, mais puisqu'il ne veut pas le dire, je vais le dire pour lui. C'est une chose qui ne pourra jamais réconcilier le Québec avec le reste du Canada. Ça ne va pas marcher. C'est très simple.

1740

C'est toujours facile de négocier devant un miroir. Vous savez, j'ai parlé plus tôt des négociations. C'est très facile de trouver des solutions idéales devant le miroir. Je suppose, quand des gens essaient de pratiquer un discours, qu'ils se sentent toujours mieux devant le miroir que devant le public. Quand on négocie, on négocie avec l'autre, avec le partenaire.

Quand on négocie, on commence avec certains principes. Si c'est maintenant la position des Péquistes qu'ils insistent sur une association, voilà, c'est le fédéralisme. C'est ça la fédération que nous avons recréée. Alors, pourquoi détruire la fédération pour qu'on puisse la recréer dans deux, trois ou quatre ans ? On n'a pas ce luxe. On n'est pas dans une salle de classe. On joue avec des jobs, le boulot, l'emploi. On joue avec les expériences réelles des Canadiens et ce n'est pas possible. On ne peut pas le faire. C'est pourquoi nous disons, et je crois que nous le disons toujours, que l'esprit de négociation, ça doit vouloir dire un esprit qui reconnaît que le fédéralisme, c'est le langage naturel du Canada.

Il n'y a pas d'autres solutions qui vont marcher. Il n'y a pas d'autres solutions où on va pouvoir trouver une vraie association entre gouvernements. Je regrette beaucoup qu'on fasse des demandes et des demandes etc. J'ai écouté le débat hier soir et j'étais très fier de la performance de M. Bourassa. Je crois qu'il a très bien non seulement défendu mais attaqué les propositions de son opposant. Mais nous devons reconnaître une certaine irréalité profonde, une certaine illusion profonde qui existe toujours dans les déclarations de M. Parizeau et de ses collègues dans le camp du Non.

La question pour les Québécois et les Ontariens, c'est de faire un pari. Le grand pari en ce moment c'est, est-ce que vous pensez vraiment qu'on va faire encore des gains, ou est-ce que ça représente quelque chose dans la main qui est certainement là pour toujours pour le Québec ?

Il ne faut pas oublier qu'on joue avec l'emploi, qu'on joue avec l'avenir de l'économie et qu'on donne le juge-

ment aux citoyens ordinaires. La prudence elle-même veut dire qu'on choisirait le Oui même si on n'était pas satisfait de tout ce qu'il y a dans le document, parce qu'on sait au moins que les gains sont là.

Je peux vous dire franchement que c'est là, l'offre, c'est tout. C'est tout ce qu'il y a dans les négociations ; il n'y a pas plus que cela. Si on ne me croit pas, bien, c'est le pari qu'on fait. Mais je vous assure que ça ne représente pas le bon sens, à mon avis. Ça ne représente pas la prudence et le sens de la nécessité de trouver la stabilité.

Je ne fais ni promesses ni menaces. Ce n'est pas comme ça qu'on agit en négociant de bonne foi avec nos partenaires dans la province de Québec depuis 200 ans. Nous avons fait de bonnes négociations de bonne foi avec un gouvernement et un chef remarquables, pour lesquels j'ai un respect profond et une affection. Il y a une amitié entre nous aussi. C'est important de le dire.

Choisissons le bon moment pour faire des gains pour le Canada. J'espère beaucoup que les Québécois, comme les Ontariens, vont voter pour le Oui parce que, pour moi, l'avenir du Canada et les possibilités du Canada commencent avec un Oui.

Mr Speaker, I've taken longer than I should. I would commend the accord to the citizens of this province. I would commend it to the members of my party and to the members of the Legislative Assembly, of the House. It represents an opportunity. It represents a good moment for us to seize the day and to take advantage of the current while it runs.

People can make mistakes. Nations can, in historic moments, fail to make the choices that ultimately are in their own self-interest and make the most sense. History is full of those examples. This is a good moment for Canada to make the right choice.

I hold no brief for the Prime Minister. Someone described this as Mulroney's deal, and I said, "That's news to me." It represents the efforts of thousands of citizens. It doesn't belong to any one man or any one woman any more than the Constitution today belongs to any one man or any one woman. It represents a best effort at conciliation. It represents a best effort at a lasting accord based on prudence, good sense, friendship and partnership. I hope very much that we can all endorse it with a resounding Yes on October 26.

Hon David S. Cooke (Government House Leader): Mr Speaker, before the speeches started, I should have asked for unanimous consent to divide the time three ways and to make sure that there were no questions and comments after each speech in order to give maximum time to participation.

The Acting Speaker (Mr Dennis Drainville): Is there unanimous consent in the House that we divide the time three ways and that we continue without questions or comments? That's agreed? Agreed.

[Report continues in volume B]

**LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

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Sergeant at Arms/Sergent d'armes: Thomas Stelling

Constituency	Name of member	Party	Other responsibilities
Algoma	Wildman, Hon/L'hon Bud	ND	Minister of Natural Resources, minister responsible for native affairs/ministre des Richesses naturelles, ministre délégué aux Affaires autochtones
Algoma-Manitoulin	Brown, Michael A.	L	Chair, standing committee on general government/ Président du Comité permanent des affaires gouvernementales
Beaches-Woodbine	Lankin, Hon/L'hon Frances	ND	Minister of Health, minister responsible for the substance abuse strategy/ministre de la Santé, ministre responsable de la Stratégie de prévention de la toxicomanie
Brampton North/-Nord	McClelland, Carman	L	Vice-Chair, standing committee on general government/ Vice-Président du Comité permanent des affaires gouvernementales
Brampton South/-Sud	Callahan, Robert V.	L	parliamentary assistant to Minister of Industry, Trade and Technology/adjoint parlementaire du ministre de l'Industrie, du Commerce et de la Technologie
Brant-Haldimand	Eddy, Ron	L	
Brantford	Ward, Brad	ND	
Bruce	Elston, Murray J.	L	opposition House leader/ chef parlementaire de l'opposition
Burlington South/-Sud	Jackson, Cameron	PC	Chair, standing committee on estimates/ Président du Comité permanent des budgets des dépenses
Cambridge	Farnan, Mike	ND	Vice-Chair, standing committee on the Legislative Assembly/ Vice-Président du Comité permanent de l'Assemblée législative
Carleton	Sterling, Norman W.	PC	Deputy Speaker and Chair of the Committee of the Whole House/ Vice-Président et Président du Comité plénier de l'Assemblée législative
Carleton East/-Est	Morin, Gilles E.	L	
Chatham-Kent	Hope, Randy R.	ND	parliamentary assistant to Minister of Community and Social Services/adjoint parlementaire du ministre des Services sociaux et communautaires
Cochrane North/-Nord	Wood, Len	ND	parliamentary assistant to Minister of Natural Resources/ adjoint parlementaire du ministre des Richesses naturelles
Cochrane South/-Sud	Bisson, Gilles	ND	parliamentary assistant to Minister of Northern Development and Mines, parliamentary assistant to minister responsible for francophone affairs/adjoint parlementaire de la ministre du Développement du Nord et des Mines, adjoint parlementaire du ministre délégué aux Affaires francophones
Cornwall	Cleary, John C.	L	parliamentary assistant to Minister of Government Services/ adjointe parlementaire du ministre des Services gouvernementaux
Don Mills	Ward, Margery	ND	
Dovercourt	Silipo, Hon/L'hon Tony	ND	Minister of Education/ministre de l'Éducation
Downsview	Perruzza, Anthony	ND	parliamentary assistant to minister responsible for the greater Toronto area/adjoint parlementaire de la ministre responsable du Bureau de la région du grand Toronto
Dufferin-Peel	Tilson, David	PC	Chair, standing committee on regulations and private bills/ Président du Comité permanent des règlements et des projets de loi privés
Durham Centre/-Centre	White, Drummond	ND	
Durham East/-Est	Mills, Gord	ND	parliamentary assistant to Minister of Municipal Affairs/ adjoint parlementaire du ministre des Affaires municipales
Durham West/-Ouest	Wiseman, Jim	ND	parliamentary assistant to Minister of Revenue/ adjoint parlementaire de la ministre du Revenu
Durham-York	O'Connor, Lawrence	ND	parliamentary assistant to minister responsible for the substance abuse strategy/adjoint parlementaire de la ministre responsable de la Stratégie de prévention de la toxicomanie
Eglinton	Poole, Dianne	L	Minister of Tourism and Recreation/ ministre du Tourisme et des Loisirs
Elgin	North, Hon/L'hon Peter	ND	
Essex-Kent	Hayes, Pat	ND	parliamentary assistant to Minister of Agriculture and Food/ adjoint parlementaire du ministre de l'Agriculture et de l'Alimentation
Essex South/-Sud	Mancini, Remo	L	Chair, standing committee on public accounts/ Président du Comité permanent des comptes publics

Constituency	Name of member	Party	Other responsibilities
Etobicoke-Lakeshore	Grier, Hon/L'hon Ruth A.	ND	Minister of the Environment, minister responsible for the greater Toronto area/ministre de l'Environnement, ministre responsable du Bureau de la région du grand Toronto
Etobicoke-Humber	Henderson, D. James	L	
Etobicoke-Rexdale	Philip, Hon/L'hon Ed	ND	Minister of Industry, Trade and Technology/ ministre de l'Industrie, du Commerce et de la Technologie
Etobicoke West/-Ouest	Stockwell, Chris	PC	
Fort William	McLeod, Lyn	L	Leader of the Opposition/chef de l'opposition
Fort York	Marchese, Rosario	ND	parliamentary assistant to the Premier, parliamentary assistant to Minister of Intergovernmental Affairs/adjoint parlementaire du premier ministre, adjoint parlementaire du ministre des Affaires intergouvernementales
Frontenac-Addington	Wilson, Hon/L'hon Fred	ND	Minister of Government Services/ ministre des Services gouvernementaux
Grey	Murdoch, Bill	PC	
Guelph	Fletcher, Derek	ND	parliamentary assistant to Minister of Consumer and Commercial Relations/adjoint parlementaire de la ministre de la Consommation et du Commerce
Halton Centre/-Centre	Sullivan, Barbara	L	
Halton North/-Nord	Duignan, Noel	ND	Chair, standing committee on the Legislative Assembly/ Président du Comité permanent de l'Assemblée législative
Hamilton Centre/-Centre	Christopherson, Hon/L'hon David	ND	Minister of Correctional Services/ministre des Services correctionnels
Hamilton East/-Est	Mackenzie, Hon/L'hon Bob	ND	Minister of Labour/ministre du Travail
Hamilton Mountain	Charlton, Hon/L'hon Brian	ND	Minister of Financial Institutions, Minister of Energy/ ministre des Institutions financières, ministre de l'Énergie
Hamilton West/-Ouest	Allen, Hon/L'hon Richard	ND	Minister of Colleges and Universities, Minister of Skills Development/ministre des Collèges et Universités, ministre de la Formation professionnelle
Hastings-Peterborough	Buchanan, Hon/L'hon Elmer	ND	Minister of Agriculture and Food/ ministre de l'Agriculture et de l'Alimentation
High Park-Swansea	Ziemba, Hon/L'hon Elaine	ND	Minister of Citizenship, minister responsible for human rights, disability issues, seniors' issues and race relations/ministre des Affaires civiques, ministre déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales
Huron	Klopp, Paul	ND	parliamentary assistant to Minister of Agriculture and Food/ adjoint parlementaire du ministre de l'Agriculture et de l'Alimentation
Kenora	Miclash, Frank	L	opposition deputy whip/whip adjoint de l'opposition
Kingston and The Islands/ Kingston et Les Îles	Wilson, Gary	ND	parliamentary assistant to Minister for Skills Development/ adjoint parlementaire du ministre de la Formation professionnelle
Kitchener	Ferguson, Will	ND	parliamentary assistant to Minister of Transportation/ adjoint parlementaire du ministre des Transports
Kitchener-Wilmot	Cooper, Mike	ND	parliamentary assistant to the Solicitor General; deputy government whip; Chair, standing committee on administration of justice/ adjoint parlementaire du Solliciteur général, whip adjoint du gouvernement, Président du Comité permanent de l'administration de la justice
Lake Nipigon/Lac-Nipigon	Pouliot, Hon/L'hon Gilles	ND	Minister of Transportation, minister responsible for francophone affairs/ministre des Transports, ministre délégué aux Affaires francophones
Lambton	MacKinnon, Ellen	ND	Vice-Chair, standing committee on regulations and private bills/ Vice-Présidente du Comité permanent des règlements et des projets de loi privés
Lanark-Renfrew	Jordan, W. Leo	PC	
Lawrence	Cordiano, Joseph	L	Vice-Chair, standing committee on public accounts/ Vice-Président du Comité permanent des comptes publics
Leeds-Grenville	Runciman, Robert W.	PC	Chair, standing committee on government agencies/ Président du Comité permanent des organismes gouvernementaux
Lincoln	Hansen, Ron	ND	Chair, standing committee on finance and economic affairs/ Président du Comité permanent des finances et des affaires économiques
London Centre/-Centre	Boyd, Hon/L'hon Marion	ND	Minister of Community and Social Services, minister responsible for women's issues/minisire des Services sociaux et communautaires, ministre déléguée à la Condition féminine
London North/-Nord	Cunningham, Dianne	PC	Progressive Conservative chief whip/ whip en chef du Parti progressiste-conservateur
London South/-Sud	Winninger, David	ND	parliamentary assistant to the Attorney General, parliamentary assistant to minister responsible for native affairs/ adjoint parlementaire du Procureur général, adjoint parlementaire du ministre délégué aux Affaires autochtones

Constituency	Name of member	Party	Other responsibilities
Markham	Cousens, W. Donald	PC	Progressive Conservative deputy House leader/ chef parlementaire adjoint du Parti progressiste-conservateur parliamentary assistant to Minister of the Environment/ adjointe parlementaire de la ministre de l'Environnement
Middlesex	Mathysen, Irene	ND	
Mississauga East/-Est	Sola, John	L	
Mississauga North/-Nord	Offer, Steven	L	Vice-Chair, standing committee on estimates/ Vice-Présidente du Comité permanent des budgets des dépenses opposition chief whip/whip en chef de l'opposition parliamentary assistant to Minister of Tourism and Recreation/ adjoint parlementaire du ministre du Tourisme et des Loisirs
Mississauga South/-Sud	Marland, Margaret	PC	
Mississauga West/-Ouest	Mahoney, Steven W.	L	
Muskoka-Georgian Bay	Waters, Daniel	ND	parliamentary assistant to Minister of Tourism and Recreation/ adjoint parlementaire du ministre du Tourisme et des Loisirs Vice-Chair, standing committee on social development/ Vice-Président du Comité permanent des affaires sociales parliamentary assistant to Minister of Housing/ adjointe parlementaire de la ministre du Logement
Nepean	Daigeler, Hans	L	
Niagara Falls	Harrington, Margaret H.	ND	
Niagara South/-Sud	Coppen, Hon/L'hon Shirley	ND	Minister without Portfolio, chief government whip/ ministre sans portefeuille, whip en chef du gouvernement Deputy Premier, Treasurer of Ontario and Minister of Economics/ vice-premier ministre, Trésorier de l'Ontario et ministre de l'Économie
Nickel Belt	Laughren, Hon/L'hon Floyd	ND	
Nipissing	Harris, Michael	PC	
Norfolk	Jamison, Norm	ND	leader of the Progressive Conservative Party/ chef du Parti progressiste-conservateur parliamentary assistant to Minister of Industry, Trade and Technology/du ministre de l'Industrie, du Commerce et de la Technologie
Northumberland	Fawcett, Joan M.	L	
Oakville South/-Sud	Carr, Gary	PC	
Oakwood	Rizzo, Tony	ND	Solicitor General/Solliciteur général Minister of Housing/ministre du Logement
Oriole	Caplan, Elinor	L	
Oshawa	Pilkey, Hon/L'hon Allan	ND	
Ottawa Centre/-Centre	Gigantes, Hon/L'hon Evelyn	ND	parliamentary assistant to Minister of Colleges and Universities; Vice-Chair, standing committee on finance and economic affairs/ Vice-Président du Comité permanent des finances et des affaires économiques, adjoint parlementaire du ministre des Collèges et Universités
Ottawa East/-Est	Grandmaitre, Bernard C.	L	
Ottawa-Rideau	O'Neill, Yvonne	L	
Ottawa South/-Sud	McGuinty, Dalton J.P.	L	
Ottawa West/-Ouest	Chiarelli, Robert	L	
Oxford	Sutherland, Kimble	ND	
Parkdale	Ruprecht, Tony	L	Progressive Conservative House leader/ chef parlementaire du Parti progressiste-conservateur Minister of Culture and Communications/ ministre de la Culture et des Communications parliamentary assistant to Minister of Citizenship/ adjointe parlementaire de la ministre des Affaires civiques
Parry Sound	Eves, Ernie	PC	
Perth	Haslam, Hon/L'hon Karen	ND	
Peterborough	Carter, Jenny	ND	Minister of Revenue/ministre du Revenu
Port Arthur	Wark-Martyn, Hon/L'hon Shelley	ND	
Prescott and Russell/ Prescott et Russell	Poirier, Jean	L	
Prince Edward-Lennox-South Hastings/ Prince-Edward- Lennox-Hastings-Sud	Johnson, Paul R.	ND	parliamentary assistant to the Treasurer of Ontario and Minister of Economics/adjoint parlementaire du Trésorier de l'Ontario et du ministre de l'Économie
Quinte	O'Neil, Hugh P.	L	
Rainy River	Hampton, Hon/L'hon Howard	ND	
Renfrew North/-Nord	Conway, Sean G.	L	Attorney General/Procureur général Deputy Leader of the Opposition/chef adjoint de l'opposition Minister of Consumer and Commercial Relations/ ministre de la Consommation et du Commerce
Riverdale	Churley, Hon/L'hon Marilyn	ND	
S-D-G & East Grenville/ S.-D.-G. & Grenville-Est	Villeneuve, Noble	PC	
St Andrew-St Patrick	Akande, Zanana	ND	Second Deputy Chair of the Committee of the Whole House/ Deuxième Vice-Président du Comité plénier de l'Assemblée législative parliamentary assistant to the Premier/adjoint parlementaire du premier ministre opposition deputy House leader/chef parlementaire de l'opposition government whip; Vice-Chair, standing committee on the Ombudsman/ whip du gouvernement, Vice-Présidente du Comité permanent de l'ombudsman
St Catharines	Bradley, James J.	L	
St. Catharines-Brock	Haeck, Christel	ND	
St. George-St. David	Vacant		

Constituency	Name of member	Party	Other responsibilities
Sarnia	Huget, Bob	ND	parliamentary assistant to Minister of Energy; Vice-Chair, standing committee on resources development/ adjoint parlementaire du ministre de l'Énergie, Vice-Président du Comité permanent du développement des ressources
Sault Ste Marie/ Sault-Sainte-Marie	Martin, Tony	ND	parliamentary assistant to Minister of Education/ adjoint parlementaire du ministre de l'Éducation
Scarborough-Agincourt	Phillips, Gerry	L	
Scarborough Centre/-Centre	Owens, Stephen	ND	parliamentary assistant to Minister of Financial Institutions/ adjoint parlementaire du ministre des Institutions financières
Scarborough East/-Est	Frankford, Robert	ND	
Scarborough-Ellesmere	Warner, Hon/L'hon David	ND	Speaker/Président
Scarborough North/-Nord	Curling, Alvin	L	opposition deputy whip/whip adjoint de l'opposition
Scarborough West/-Ouest	Swarbrick, Anne	ND	
Simcoe Centre/-Centre	Wessinger, Paul	ND	parliamentary assistant to Minister of Health/ adjoint parlementaire de la ministre de la Santé
Simcoe East/-Est	McLean, Allan K.	PC	Vice-Chair, standing committee on government agencies/ Vice-Président du Comité permanent des organismes gouvernementaux
Simcoe West/-Ouest	Wilson, Jim	PC	
Sudbury	Murdock, Sharon	ND	parliamentary assistant to Minister of Labour/ adjointe parlementaire du ministre du Travail
Sudbury East/-Est	Martel, Hon/L'hon Shelley	ND	Minister of Northern Development and Mines/ ministre du Développement du Nord et des Mines
Timiskaming	Ramsay, David	L	
Victoria-Haliburton	Drainville, Dennis	ND	First Deputy Chair of the Committee of the Whole House/ Premier Vice-Président du Comité plénier de l'Assemblée législative
Waterloo North/-Nord	Witmer, Elizabeth	PC	
Welland-Thorold	Kormos, Peter	ND	Chair, standing committee on resources development/ Président du Comité permanent du développement des ressources
Wellington	Arnott, Ted	PC	
Wentworth East/-Est	Morrow, Mark	ND	Chair, standing committee on the Ombudsman; Vice-Chair, standing committee on administration of justice/ Président du Comité permanent de l'ombudsman, Vice-Président du Comité permanent de l'administration de la justice
Wentworth North/-Nord	Abel, Donald	ND	government whip/whip du gouvernement
Willowdale	Harnick, Charles	PC	
Wilson Heights	Kwinter, Monte	L	
Windsor-Riverside	Cooke, Hon/L'hon David	ND	Minister of Municipal Affairs, Chair of the Management Board of Cabinet and government House leader/ministre des Affaires municipales, président du Conseil de gestion du gouvernement, et chef parlementaire du gouvernement
Windsor-Sandwich	Dadamo, George	ND	parliamentary assistant to Minister of Culture and Communications/ adjoint parlementaire de la ministre de la Culture et des Communications
Windsor-Walkerville	Lessard, Wayne	ND	parliamentary assistant to Chair of the Management Board of Cabinet/adjoint parlementaire du président du Conseil de gestion du gouvernement
York Centre/-Centre	Sorbara, Gregory S.	L	
York East/-Est	Malkowski, Gary	ND	parliamentary assistant to Minister of Citizenship/ adjoint parlementaire de la ministre des Affaires civiques
York Mills	Turnbull, David	PC	Progressive Conservative whip/whip du Parti progressiste- conservateur
York North/-Nord	Beer, Charles	L	Chair, standing committee on social development/ Président du Comité permanent des affaires sociales
York South/-Sud	Rae, Hon/L'hon Bob	ND	Premier, President of the Executive Council, Minister of Intergovernmental Affairs/premier ministre, président du Conseil des ministres, ministre des Affaires gouvernementales
Yorkview	Mammoliti, George	ND	parliamentary assistant to Minister of Correctional Services/ adjoint parlementaire du ministre des Services correctionnels

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Règlements et projets de loi privés

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Vice-Chair/Vice-Président: Bob Huget

Members/Membres: Sean G. Conway, George Dadamo, W. Leo Jordan, Paul Klopp, Dalton J.P. McGuinty, Sharon Murdock, Steven Offer, David Turnbull, Daniel Waters, Len Wood
Clerk pro tem/Greffier par intérim: Todd Decker

Social development/Affaires sociales

Chair/Président: Charles Beer

Vice-Chair/Vice-Président: Hans Daigeler

Members/Membres: Dennis Drainville, Joan M. Fawcett, Tony Martin, Irene Mathysen, Yvonne O'Neill, Stephen Owens, Drummond White, Gary Wilson, Jim Wilson, Elizabeth Witmer
Clerk/Greffière: Lynn Mellor

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Second Session, 35th Parliament

Assemblée législative de l'Ontario

Deuxième session, 35^e législature

Official Report of Debates (Hansard)

Tuesday 13 October 1992

Journal des débats (Hansard)

Mardi 13 octobre 1992



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 13 October 1992

[Report continued from volume A]

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CONSTITUTIONAL AGREEMENT ENTENTE CONSTITUTIONNELLE

Continuing the debate on government notice of motion number 16.

Mr Charles Beer (York North): It is a pleasure and a privilege for me to rise in the House to discuss the referendum, the Constitution and to join with the Premier in so many of his remarks, as I think he has very effectively raised a number of the issues that are out there that people are asking us as we go about our task of meeting with people in their homes, in service clubs, in schools, wherever people are gathering to discuss this particular topic.

I'd like to comment on a number of the same issues as I go through my remarks. But I also want to perhaps offer a few somewhat more personal observations as one who found himself in the mid-1960s studying at Laval University in Quebec City and, without planning it or thinking about it, has found himself, one way or another, for virtually all of his adult life doing something that ended up relating to the Constitution, to language policy, to this whole question of who we are as Canadians and how we want to express that in our Constitution.

If I can be a little academic about this, I'd like to use as the thesis for the comments that I want to make an expression that Premier Ghiz made. I think he's made it a number of times, but those of us in the Liberal caucus had the pleasure of listening to him a few weeks ago at our caucus retreat. He came to Collingwood, where we were, and said, "I'm going to pretend that I'm in Charlottetown or Summerside and I'm talking to a service club, a group at home, because I want to talk to you about the Charlottetown accord the way I would were I back on the Island."

He then proceeded, during the course of an hour or an hour and a half, to give what I think was not only a vintage Maritime islander speech on the stump but to make some very important points and to make them very effectively about why we can be proud of this agreement and go forward and support it, not, as someone said, holding one's nose but really to underline important points of principle that are in this agreement that I think will make an even better country in which to live.

What Premier Ghiz said, and this is something we want to reflect on as we go through our discussion, was simply this: that we must not let the prophets of perfection become the enemy of the good.

So what we're after here in this constitutional accord is coming to terms with what is good for this country. As the Premier has said and as others have said, if each of us seeks the perfect constitutional document we will never, ever get there.

One had only to sit on our own select committee on the Constitution, as a number of us did, when we travelled the

province to listen to what it was that individual Ontarians, individual Canadians, felt about their country and wanted to see in any changed Constitution. Of course, we had a myriad of points of view. But at the heart of all of those points of view was a very simple statement, really saying to us as the politicians, as the elected officials, "If we ask you to do anything, it is to make sure that you use your common sense and your good judgement to come forward with a document that will represent us as Canadians and in which we will be able to see ourselves but where we know as well that it will have to be a good, solid compromise representing all the different regions of this country, the cultural and linguistic differences and so on." I believe that is what we have done in this document.

The other point we need to understand as we try to come to grips with the meaning of the Charlottetown accord is to ask ourselves: What's a Constitution all about? What ought a Constitution to represent? Must a Constitution include within it every single issue and problem? Must it effectively respond to every single issue and problem?

To ask that question and to reflect upon it is to say, no, it is a very important part of who we are and how we see ourselves but it is only a part, and we need to recognize that questions around the role of political leadership, of political will, in terms of substantive issues that we will deal with, whether in this House or in the House of Commons or anywhere else, are important too.

Let's remind ourselves that the Charter of Rights and Freedoms, which we are proud of as part of our Constitution—I think quite rightly so—did not exist before 1982 and yet we still had a body of law, a body of precedent, that put forward and effectively protected, in many respects, rights and freedoms. Just because we have that charter doesn't mean that there are no cases of racial discrimination or that men and women, in effect, are equal everywhere and in every case. Constitutions can't do that by themselves, but the importance of a Constitution, a good Constitution, is that it acts as a guide, a signpost, a place where we can see a direction. I think what we have tried to do with the Charlottetown accord is bring that direction, the direction that Canadians want to see at the end of the 20th century, into that constitutional document.

How did we get here? Where did the journey begin that led to Charlottetown? I think that sometimes in the criticism brought to bear on the accord we hear that phrase, again, that this is something that the premiers dreamed up, that a very small group of people have brought forward this accord. I think that has to be answered, and perhaps one who is not a Premier can answer that somewhat more directly.

I would go back and say to people, in looking at our evolution constitutionally—as was said, we could go back into the 18th century, but I think in a real sense we go back to John Robarts and the Confederation of Tomorrow conference in 1967. It's very interesting to go back and look at some of the discussion that took place at that time and

some of the background papers that were prepared prior to that conference, because many of the issues that we have tried to deal with and, I believe, have fairly and reasonably dealt with in the Charlottetown accord were on the table at that meeting, where the purpose of Premier Robarts, in convening that session, was to bring together the premiers of the other provinces and to begin a dialogue.

The focus, and I think rightly so, at the time was to really begin that dialogue with the province of Quebec, which was going through profound change. But anyone who either sat and listened to the discussion or was in the room at times watching the interaction among the leaders of the different provinces could also see a lot of the other issues that have since emerged: that feeling from the west, for example, of a certain alienation, a certain lack of involvement in the direction our country has taken and in our national institutions.

We began that voyage in 1967. It continued through the 1968-71 constitutional discussions which ended in Victoria and did not have a successful resolution but where an awful lot of very good and important work was done, again on many of the issues we face now. We continued through the 1970s. The Quebec referendum then became a critical point in this discussion, because during the debate on that referendum, as members will recall, the government of Quebec, the separatist PQ government of the day, was asking for the authority to go forward and negotiate a form of sovereignty-association. The people of Quebec said no. The then Prime Minister, Mr Trudeau, said:

"I want to take that no in a positive way and lead that to bring us together, to bring about a resolution of specific constitutional problems faced by the province of Quebec. But as well, I want to patriate the Constitution, and I believe it is important for us to express our support of fundamental rights and freedoms by bringing forward the Charter of Rights and Freedoms."

That was the next phase, and in April 1982 the Queen came to Canada and signed that document, and I think we were all rightly proud. But there was one thing missing, and that was the signature of the government of Quebec. I know many learned scholars have said that didn't affect the application of the charter and the Constitution Act of 1982 to Quebec and to the whole country, but I think everybody recognized very clearly that we wanted to have the willing inclusion of Quebec in our fundamental constitutional document and that until that happened there was something missing, something we were going to have to deal with as a people, as a country.

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Following those discussions, something that occurred I think has often been overlooked in the discussion. Between 1983 and 1987, first ministers tried to deal with some of the fundamental issues affecting the aboriginal communities, so there were four or five federal-provincial constitutional conferences that tried to deal with the question of aboriginal rights and aboriginal government. At the end of that period, not long before the discussions on Meech Lake started, those discussions failed. We then moved into the Meech Lake negotiations, and we know what happened there.

At that time I think if there was a lesson we all learned, it was what people were saying in trying to develop a Constitution for today. "We're going to have to deal with all of the issues that Canadians are concerned about," whatever one thought about the aboriginal discussions between 1983 and 1987, whatever one thought about the Meech Lake accord.

We found this in the select committee on Confederation that we had in Ontario, which looked at the Meech Lake accord. Many different groups were coming and saying, "That is not good enough"; not that they were necessarily opposed to some of the provisions in Meech with respect to Quebec, but simply that they wanted to see more. They wanted what we came to call a Canada round.

When we reconstituted our own select committee after the 1990 election, and when other provinces did similar things, we started a new process that was going to have to include all these issues and all these concerns. We really have had—and I think this is the other point that needs to be stressed—an amazingly open and inclusive process which has led to this agreement.

Virtually every province has had some kind of select committee or special committee that has gone around both seeking the views of citizens and developing and preparing a report. The federal government had several parliamentary commissions that went and looked at the specific issue of the Constitution.

We had the Spicer commission that went around the country listening to the views of Canadians and we had a series of six meetings, a kind of mini-constituent assembly, if you like, that took place in six major centres in Canada last February and March. Out of that, then, came the multi-lateral process that Joe Clark, the Constitutional Affairs minister of the federal government, chaired.

I stress all that preamble in terms of what has happened, and particularly the roles of all of the different committees. As one who had the pleasure, together with my colleague the member for Ottawa-Rideau, of sitting in on a number of the meetings during that process, I was struck by how often the leaders who were speaking around the table, including the Premier of this province, would refer to the documents that had come from that public participatory process and say, "Well, look, these are the kinds of values that we see coming from Ontario or from Manitoba or from Alberta." Those views were very much at the table; they were very much on the table.

I think in some respects, as I watched the premiers, the senior ministers, the leaders of the four aboriginal groups and the leaders of the territories wrestling with these issues during March and April and May and June and July and August, I really wish that somehow we had been able, in effect, to televise that, to have that open, because I think people came to the table seeking the good and seeking a constructive compromise.

I don't think I would say there was anyone at the table during those negotiations who was not trying to come forward with something that was going to move our country ahead. What people were focused on was doing what was right for Canada. Certainly, everyone came with certain particular positions, views and things they felt would be

important within that process, and that is reasonable. That is, after all, what we are about. We are a federation.

People forget that we're a country today, in fact the largest country in the world with the dissolution of the Soviet Union, with a relatively small population. There are very strong regional disparities, regional differences, and one obviously major cultural and linguistic difference in terms of Quebec and the question of how we are going to work together with the aboriginal peoples. These have all been on the table; they have been there for a generation.

Certainly when I look back, since 1967, what I see with this agreement is something that gathers in a whole series of threads and strands and says: "This is good for our country. With this we can go forward. With this we will be able to focus on those fundamental issues that are of such direct concern to Canadians and Ontarians today around jobs, a first-rate health care system, a first-rate education system and so on."

There is a fundamental link in working out how we are going to solve our constitutional questions and getting on with those other tasks. I think, as we look at this document, this agreement, we need to ask the question, "Is this good for Canada?" Not, "Is it perfect?" But, "Is it good for Canada?" I think the answer is clearly that it is.

What, then, are some of those key issues addressed in this document? I'd like to begin by looking at this question of collective and individual rights because particularly—and I don't know if this is the experience of other members, but as I've gone out and talked to students and tried to make a point of talking to the OAC level, what in my day was called grade 13 but now we have the OAC level—what's fascinating when you go into those classrooms is that, by and large, 90% to almost 100% of those students are going to be voting for the first time. They take this vote very seriously. I think some of the most vigorous debate and questioning I have had on this accord has been with students at the OAC level.

One of the issues that I've found is very troubling to them has been the interplay of collective and individual rights. It's interesting to take the Canada clause and to go through it with them clause by clause, to note the fundamental characteristics that we believe are important and reflect us as Canadians and to come to the one that speaks specifically to this question of individual and collective rights, where we say that Canadians are committed to a respect for individual and collective human rights and freedoms of all people. You get that question, "But look, me, I'm equal to everybody."

Why do we talk about language rights, the official language minorities? Why do we talk about aboriginal peoples? Why do we talk about certain group or collective rights? That is part of who we are. We recognize that the inclusion of both, the ability to protect both individual and collective rights, is important in defining who we are as Canadians.

One can do that. One can recognize the inherent right of the aboriginal peoples to self-government; one can recognize Quebec as a distinct society without in any way, shape or form limiting my individual rights or anyone else's. Those can go, and indeed do go, hand in hand.

I think that's something we want to note, what the words are in this agreement, and at times go back as well to the charter itself to make sure that people know what section 15 says and what section 28 says. For the record, I want to read this in because one of the things I've found effective is to say, "Do you know what is in section 15 with respect to equality rights?"

"Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability"—one of the strongest statements of equality rights anywhere in the world. Section 28 says, "Notwithstanding anything in this charter, the rights and freedoms referred to in it are guaranteed equally to male and female persons."

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Our Constitution as a whole—the amendments being brought from Charlottetown; the statements made in the Canada clause—in my view supplement, strengthen and add to the weight that we have in the charter that protects both collective and individual rights. I think that is something we can be proud of and where the Charlottetown accord is a good agreement for all of us as Canadians.

A second question that often comes up is, what are we doing to the federal role? What are we doing to the federal government's responsibilities? Aren't we just turning all kinds of powers over to the provinces and in effect destroying our country? I think the answer to that very clearly is no, and the way to deal with it is to really take people through the accord.

Again, one of the real problems in this whole debate has been trying to sit down with as many people as possible, look at the words in the agreement and say, "Let's take those words, not what perhaps some third party is saying they mean, but let's look at them in detail." When we look at the division of powers between the federal and provincial governments, by and large what we see is a reflection of the way our federal system is operating today. When somebody says, "Would the federal government be able to bring in a national child care program?" the answer is that this agreement in no way limits its ability to do that.

Probably the single biggest problem the federal government faces right now—that would be any federal government, no matter the political party in power in Ottawa—is the problem around the debt. That is going to limit the ability of the federal government for many years to come in bringing forward any new, major piece of social or health legislation. But what this document says is simply that where that is going to happen, there will be negotiations as there would have to be at the present time, but those negotiations will lead to an agreement that will be protected.

Members will recall changes made by the federal government to the Canada assistance plan when, to many Canadians, that plan was seen as a negotiated agreement that one side should not be able unilaterally to change. I think what we are trying to reflect in here is that where there is a federal-provincial agreement around manpower training, immigration or any of the other areas that are pinpointed,

they will be negotiated, the legislatures and the Parliament will be part of those discussions and part of the ratification of that process, and at the end of the day we'll have an agreement that will be constitutionally protected.

In many cases we're simply saying that the level of government which is closest to the people—in this case, the provincial level—for many of these things is the best place to have that power or authority. When we come to a question such as manpower training and we look at our educational system and we look at a whole series of other things we do in this province, it seems to me it is right and proper for Ontario to want to bring those training programs within that total educational and training package, and be able to have one effective system and not have different levels of government tripping over each other. So there's a practical nature to what we have put forward in the Charlottetown accord in terms of how the federal system would work.

The third point is of course around the aboriginal peoples. What does this mean? What does the inherent right of the aboriginal peoples to self-government mean and why isn't it defined with every t crossed and every i dotted in this agreement? There's no question, I think, that if there's one place where there is a leap of faith it is on this issue, but I think rightly so.

For far too long we have had ongoing discussions with the native peoples of this country. For far too long we have recognized that in so many of the native communities the situation, the quality of life that they face is nothing short of scandalous and that as part of coming to a resolution, to really be able to deal with and improve the quality of life of our aboriginal peoples, they must have a far greater say in what is going to happen to them.

In the first instance, we're very simply saying that before the first Europeans came to this continent there existed a whole variety of aboriginal communities that had their own form of government. We're recognizing that. What we're saying now is that based on that we're going to start a process that will define for the end of the 20th century, the beginning of the 21st century, how aboriginal governments will function.

There is a process that will involve the federal government, the provincial governments and the aboriginal peoples. There will not be one simple form of aboriginal self-government, because they vary in terms of size, land base, a whole series of factors which are going to make those negotiations different, one from the other. I suspect that in the lifetime of everybody in this chamber, we'll not see that process completed. Not that there are going to be thousands and thousands of meetings, but simply that there will be certain aboriginal communities that will say, "We're not ready to move to that point." Others will be.

Clearly, we can see with the Inuit in the Northwest Territories a land base and a shared experience where they will be able to move to self-government very quickly. Indeed, the government of the Northwest Territories today, the territorial government, really operates very much on the basis of an Inuit approach to problem-solving. They don't have political parties. They deal in a more consensual way with those issues.

In each province, with each major aboriginal group, we will come to a definition of self-government that will be different, but it is going to reflect those negotiations and it will therefore, I believe, work effectively because aboriginal peoples will then increasingly be in charge of where they are going and of their own lives.

Within this Legislature, over the course of the last 10 or 20 years, different governments, all three parties have worked with aboriginal communities in turning over responsibility for a number of what we call provincial and local government responsibilities. I think in virtually every case we did that—certainly when I think of my own experiences as Minister of Community and Social Services—we were able to see more effective programs for aboriginal peoples where they were directly involved in defining and implementing those programs. I see this clause around the aboriginal people as being very positive and something that we are going to be able to work out collectively together.

The Senate is an issue which for Ontario has never been on the front burner. I can recall when people would come out of the west, particularly from Alberta, and come down to talk to us about changes to the Senate. What kinds of things did we want to see? How could we make the Senate more effective? I suppose for most Ontarians what we would really say is: "We're not sure that we need a Senate. Maybe we'd just as soon abolish it."

But again, I think as Canadians, being part of the federation, what we've had to do is say, "Look, there are some legitimate concerns that come from Alberta, British Columbia, Manitoba, Saskatchewan and Newfoundland, where they see this issue as being very important." Remember that in the discussions in Charlottetown in 1864 and leading up to the British North America Act in 1867 one of the important elements was that the provinces wanted the Senate to be more of a regional body, a body which would reflect, at the heart of the federation, regional concerns.

I think that's what is still seen, and when you look at the proposals that were worked out for the Senate, we see the equality—six senators for each province—as working to achieve that objective and we see the election of senators as being important to make it a more democratic body. While the province of Quebec initially has said that it will select its senators through the National Assembly, my own view is that over time there will be a demand within Quebec that they be elected on the same basis as in the other provinces. Remember the experience of the United States with its own Senate? At first, many of them simply appointed different rules in different states, but over time what evolved was a common system such as they have today.

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What about its effectiveness? Clearly, it's not a triple E Senate in the purest form. It's a two-point-something, but there are some real responsibility and real power that now lie with the Senate. This new body, if you like, that will be a joint sitting of the House of Commons and the Senate, will meet when the Senate turns down a bill that comes from the House of Commons. In most cases, it's true, the House of Commons vote will prevail. They will have the numbers.

But particularly in terms of minority government there will be a view reflected through the Senate that says, "Maybe we should just hold and pause," and that term of being a sober second body that's going to look at some of these issues, I think, will take on new meaning. I think it will be very interesting to see how the role of an elected senator will evolve over time. I suspect that the senators will be able to exercise not so much a final determining role on policy but they will develop an ability to provide a certain moral leadership, because they will be elected and they'll have the strength of that election. They will not be able to serve in the cabinet, so they won't have those pressures on them, and they will be able to speak both for their regional concern and also for a sense of Canada. I think that can be a very positive development.

But if there's something in this agreement that I think we can be particularly proud of and which, I think since Meech Lake in particular, has been something that people across the country have asked for, it is the Canada clause. I referred to that earlier in my remarks in talking about the question of collective rights and individual rights. I think it's important to pause and look at what we have included within this Canada clause, this clause which sets out the fundamental characteristics of our country and is a clause that is interpretative. It doesn't grant rights, but it reflects back who it is we think we are. I want to put those on the record because I think people want to see that they're there and think about them, and when you do that, I think you can see much that is positive in this accord, in the Canada clause.

First: "Canada is a democracy committed to a parliamentary and federal system of government and to the rule of law." Surely, an important statement that we want to make about the nature of our democratic and federal system.

Second: "The aboriginal peoples of Canada, being the first peoples to govern this land, have the right to promote their languages, cultures and traditions and to ensure the integrity of their societies, and their governments constitute one of three orders of government in Canada." Again, the simple recognition that the aboriginal peoples have a specific role to play in this country and that they have the right to self-government.

The third point, and one which causes some people concern but which I think is a fair reflection of where we are today, relates to Quebec. "Quebec constitutes within Canada a distinct society, which includes a French-speaking majority, a unique culture and a civil law tradition." That, I would argue, is simply a statement of the fact of the Canadian federation today.

If you were to take decisions made by the Supreme Court of Canada over the last 10, 15, 20 or 25 years on a whole series of matters, you would see, defined within their decisions, a definition of Quebec that flows very much from what is in the Canada clause, that relates it to being a French-speaking majority, that relates to its unique culture and relates to its civil law tradition.

Again, in my view, there is nothing there that threatens any individual Canadian. There's nothing there that threatens the application of the Charter of Rights and Freedoms, and indeed, as was often noted during the Meech Lake

discussions, the province of Quebec has a very strong human rights code that is every bit as good as the one that we have in this province, and the one that we have in this province is a very good code indeed.

The next fundamental characteristic: "Canadians and their governments are committed to the vitality and development of official language minority communities throughout Canada."

One of the things I found very interesting in the discussion around the Charlottetown accord was that the issue about the protection of official language minorities did not receive a great deal of discussion, and it was fascinating in terms of why not. It was simply that people accept it.

If you go through all the different provincial committees, the federal bodies, the Spicer commission and everything that went on over the course of the last two years, there was, I believe, expressed by the vast majority of Canadians the view that we need to have a generosity of spirit in recognizing, protecting and helping develop the official language communities in our country.

That appears in this document and it is important because it commits all of us to the vitality and development of those communities: French-speaking outside Quebec; English-speaking inside Quebec.

After the signing of the Charlottetown accord I was in Quebec City for a meeting of the Quebec Liberal Party at which they had a special meeting to discuss and vote on the Charlottetown accord. This question came up from many people who were posing questions to Premier Bourassa. There were some 3,500 to 4,000 people meeting at Laval University. I thought he made very clear the importance to Quebec of its official language minority, the English-speaking minority, and that those Canadians whose official language was English were in effect part of the distinct society that is Quebec. If you looked at the crowd, at the people who were at that meeting, there were many whose first language was English and there were many, clearly, from a whole range of cultural and racial groups throughout the world who live as Canadians in the province of Quebec and who were saying, "This is a good accord and we want those languages protected."

The next statement that appears here: "Canadians are committed to racial and ethnic equality in a society that includes citizens from many lands who have contributed and continue to contribute to the building of a strong Canada that reflects its cultural and racial diversity." Again, in going through the Meech experience, many groups came before us and said, "We want to see that kind of commitment expressed in the Constitution." It is expressed in the Charter of Rights and Freedoms under the equality rights section, but here it is simply affirmed again that we see that as being critical. That protection to deal fairly and equitably no matter anyone's racial or ethnic background is very important to us as Canadians.

I've already mentioned the next clause, which is, "Canadians are committed to a respect for individual and collective human rights...."

Then: "Canadians are committed to the equality of female and male persons." Here, as I think members know, there has been a good deal of discussion in the country as to

whether this list of fundamental characteristics, in particular this statement committing us to the equality of female and male persons, somehow is limiting on rights, that it is creating a hierarchy of rights.

I think here, as we try to wrestle with some of these issues—I am not a lawyer; most of us aren't—what we have to do is look at our Constitution in terms of what is stated, in terms of what is intended in the fundamental characteristics, and use some common sense in looking at exactly how we're to read these clauses.

In my own view, I believe this statement of fundamental characteristics adds to and enhances our understanding and respect for all the rights that are enumerated here in the fundamental characteristics and in the charter. I think as Canadians we should be proud of that. I see this statement in the Canada clause as something which in the future we would proudly display in schools, classrooms, lobbies of buildings, saying: "That's something we feel very proud of. That's something that is important to us as Canadians, and we are going to work towards really trying to ensure that those characteristics are reflected in everything that we do."

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Maintenant, j'aimerais faire plusieurs remarques au sujet des minorités francophones et anglophones dans notre pays, en conséquence de l'accord de Charlottetown. Je pense qu'il est toujours très important de souligner à tous les Canadiens que la protection et le développement qui sont signalés dans la clause Canada sont tellement importants pour nous en Ontario.

Je pense que, depuis les années 60, avec l'ancien premier ministre, M. Robarts, chaque gouvernement a essayé de définir les droits de notre minorité officielle, de notre minorité linguistique, la communauté francophone, et petit à petit et de plus en plus, de créer une bonne protection — pas simplement une bonne protection, mais les outils nécessaires pour le plein développement de notre communauté francophone. Je pense que cet accord nous donne une direction claire et ferme, et que dans nos politiques ici à l'intérieur de l'Assemblée provinciale, nous allons donc continuer à développer les programmes et les services pour notre communauté francophone. Et ça va arriver.

J'étais très content de voir que l'Association canadienne-française de l'Ontario a appuyé cet accord, même s'il y avait peut-être certaines choses que la communauté francophone aurait bien aimé voir. Mais, en balance, c'est bon pour le Canada, c'est bon pour l'Ontario et c'est bon pour la communauté francophone.

Deuxièmement, j'aimerais souligner l'engagement que ça fait aussi pour le gouvernement du Québec, d'inclure dans la société distincte la communauté anglophone. Je pense que, de plus en plus, comme Canadiens, nous pouvons bien voir que nous pouvons accepter ces deux communautés minoritaires, ces deux communautés linguistiques. Nous pouvons les protéger sans nuire à personne, sans nuire à aucun gouvernement et sans nuire aux droits fondamentaux d'autres Canadiens. Donc, pour moi, cet accord est très important pour les communautés minoritaires dans le pays.

What then can we make of this accord with all of its clauses? Many people have come forward with questions, wondering: "How do I make up my mind? How do I make a decision?" I hear people on one side saying, "This isn't any good, it's going to cause problems." I hear people on the other side saying, "This is what we ought to be doing."

Again, I would come back and ask Canadians, ask Ontarians, to use common sense, to go back to Premier Ghiz's statement, "We mustn't let the prophets of perfection become the enemies of the good," to look at the amendments contained in the Charlottetown accord and to read those with the rest of the Constitution, to read those with the society that we have evolved, and to say: "Is this good? Does this take us forward?" I believe the answer to that is, yes, it does.

The other question is people saying: "What are the implications if we vote Yes? What are the implications if we vote No?" I think we have to be very careful here in saying to Canadians that there are legitimate concerns and legitimate issues that are raised by the Charlottetown accord that all of us must deal with forthrightly and directly, and that we need to speak frankly and openly with people in the public meetings that we attend about what is clearly there and is clearly intended in the Charlottetown accord, where there is room for interpretation or where we can't identify every single issue that is going to flow from it, but in doing that to also recognize that this accord comes from a long process of involvement by Canadians and their governments over a period, as I said before, of some 25 years, where with common sense, with compromise, with give and take, we now have a document in front of us where we are asked for the first time as individual Canadians to vote Yes or No.

This is not something that is being imposed by government. Every single Canadian is being asked to vote. I felt that was very important. I think all of us involved in the select committee did. There was a risk. If I had been asked four years ago whether I believed we ought to have a referendum on the Constitution, I would have been concerned about that. I would have said, "Aren't we elected to make those decisions?"

But I think if we've learned anything as we've gone through this long voyage of constitutional reform, it is that at the end of the day that is a fundamental document that affects all Canadians, and that people, thoughtful Canadians, want to have their say and want to be given the responsibility and the privilege of casting their vote.

Obviously when we then bring it to the people of this country, they have two options: They can support it or they can vote it down. So it is up to us, myself, as one of those who is saying, "I hope you will vote Yes," to answer the question, to try to deal with the concerns and to say: "This is who we are. Let's go forward in supporting this accord."

I would close my remarks by underlining again that I believe this document, the Charlottetown accord, comes to us at an important crossroads in our history where there are some choices to be made and where, I believe, we can positively say Yes to the Charlottetown accord. I believe that says Yes to our future as a strong and united Canada, one in which, for our children and their children, we will

have the capacity, as a country, as a nation, to develop the programs and policies that quite rightly should be developed through our political process but protected by a strong statement within our Constitution in terms of the rights and freedoms that we have and in terms of who we are as a people.

I ask those in Ontario who are still undecided to look at the document, to talk to each of us, whoever it is who is their member, to talk to friends, but to make the decision based on this document, not to make the decision based on individual or other problems that this country faces. We will have an opportunity and a time to have another federal election. Dare I say another provincial election? All of these things will work out over time and in their own way, but what we are asking here is that each of us in a responsible way looks carefully at what has evolved in terms of this constitutional document and comes up with an answer for Canada.

I believe the Charlottetown accord is good for Canada and is worthy of our support. I urge everyone on October 26 to support the accord.

1840

The Deputy Speaker (Mr Gilles E. Morin): The leader of the third party.

Mr Michael D. Harris (Nipissing): I'm pleased to have the opportunity to share a few thoughts on the Charlottetown accord, pleased to follow the member for York North who, when it comes to a technical understanding of every nuance, of every clause that is in the Charlottetown accord, is unparalleled and unmatched, certainly by me and by most Ontarians, I suggest. I'm not going to attempt to repeat some of the understandings and interpretations of the clauses, because very few have that technical knowledge, certainly not better than the member for York North.

What I'd like to do in the time allocated to me is talk a little bit about the nitty-gritty of what people are saying to me about this Charlottetown accord and why they plan to vote Yes or No, based upon some of these assumptions. Some I think are myths and I'd like to address those today; some are reality and I'd like to reinforce those as best I can.

I stated after the Charlottetown accord was negotiated and we came back into this Legislature, in remarks on September 30, that I would vote Yes and I gave some of the reasons why. I don't want to repeat those today, either. For those who are watching, who are interested, I'm sure they were watching that day as well. Most observers of us usually are regular. For those who are tuning in today, I'd be happy to send them a copy of the Hansard of September 30, should they so wish.

I said at that time, though, that the Charlottetown accord is the "cumulative result of the most intensive and extensive process of self-discovery ever conducted by a country," when you think of back in the 1950s and the 1960s and the talk of repatriation, of bringing our Constitution home from England and all the conferences. Some have alluded to some of the history, back, I guess in a serious way, in the days of Robarts, if you can believe it, going back that far, to put it into the perspective of Ontario history, and Davis and Peterson and now 1992.

It's surprising to me that I still run into those who say, "What's the rush?" I say, "Listen, for 50 years almost, there's been this preoccupation with the Constitution, for the last 15, certainly the last 11, since I've been elected in 1981," and they say, "What's the rush?" I think of this repatriation. Many don't understand it is not complete. I have many say to me: "Mike, what's the matter? This Constitution we've had has served us well for 125 years. Why now?" I say: "We don't have the same Constitution we had for 125 years. There was a repatriation process and it's never been completed." The Trudeau round, as I call it, brought the Constitution home from England. What a serious mistake that was because it wasn't complete, aside from whether you wanted to bring it home or not.

I've long argued, do we need a Constitution? I don't need one to tell you how I feel about this country, about Canada. It is the political will of the people, not of the politicians, the political will of the people of the day in all our 10 provinces and in the federal government that will determine what governments will do and how they'll act and how they'll respect individual rights and how they will interact with one another. I never fail to take the opportunity, and I'll do so again today, to point out that in Great Britain the last written word was the Magna Carta in the 13th century. So why this preoccupation? I don't know.

I tell you this, that countries outside of Canada, to a country, don't understand why we're so preoccupied with every nuance of every word that we want to write down in a Constitution. History has shown us that if the political will is there at any given point in time to do something, it will be done, whether it is in the Constitution or whether it is not, and if the political will is there to ignore the Constitution, that's done all the time, in Canada as well.

Why are we so preoccupied with what is in this document? That indeed is one of the points. I think you understand that it has been a long debate, a protracted debate, and there is no going back to the BNA Act; there is no status quo. We got ourselves in limbo here, between the BNA Act and the Charlottetown accord. We had an incomplete document that Quebec said it would not sign, would not agree to, to the extent that it would rather be a country unto itself, unless some modifications were made, and that is the process we are in.

I want to talk about some of the myths about the Charlottetown accord and I then want to talk about some of the aspects, but I want you to understand the context it is in.

I have some advice as well for the Premier. The Premier alluded in his remarks to how he appreciated the advice I gave him, so I'm going to give him some more, because now we're selling the document, we're selling the constitutional accord. I believe the Premier's making some mistakes, and what better opportunity than right here for me to suggest that the Premier adjust his part of the Yes campaign a little bit.

I was looking at the article by Bob MacDonald today: "Mulroney, Rae Out: Yes Win." What MacDonald is suggesting is that Brian Mulroney and Bob Rae agree to quit if there is a Yes vote, that nothing will promote a Yes vote more than that. This is Bob MacDonald's view. Then he

gives an alternative. He says: "Mulroney and Rae could switch sides and campaign openly for the No side. That could turn off a number of No voters," and give us a guaranteed Yes result as well. Many of you will say that's nonsense and I say to Bob MacDonald that it is nonsense.

However, I want to talk about Bob Rae's comments. I believe that in every speech that I have seen—certainly, if it's not in every speech, it is what the media are selectively printing—is his reference to, "I know you hate the Prime Minister; I know you hate Brian Mulroney, but don't get back at him by voting No for this referendum." That is playing right into the hands of Preston Manning. That's Preston Manning's whole campaign, to remind people that it's Mulroney's deal. There are two things wrong with that, and I'm going to get to Preston Manning in a minute.

One is that it's not Mulroney's deal. He was hardly present. So for the Premier to constantly remind people of that I think is a very foolish way to try to get Yes votes. I implore him to grow up and not fall into the tactics of Preston Manning and others. I also suggest to the Premier that among many of the people I talk to, they think: "Wait a second now. Was this Mulroney's deal, Rae's deal?" Because they hate Rae as much as Mulroney. In fact, among a lot of the people I talk to, they hate him more.

But the fact of the matter is that this is Rae's deal more than Mulroney's. This is the premiers' deal, Clyde Wells's deal, Joe Clark's deal, the native leaders' deal. If it were Brian Mulroney's deal there would probably be property rights in the Constitution and there probably would be an economic union, a drop of interprovincial trade barriers. Those were the things Mulroney wanted.

Mulroney's only role in all this basically was to say, "We're going to let the people decide." As the only provincial leader, and virtually the only politician, it seems, in this Legislature, who has called for and advocated a referendum, and one who supports the people having the say, I say to Brian Mulroney, thank you for giving us the referendum. Even though, Brian, you didn't do it originally, even though you seemed to maybe have been forced into it, at least now we have it, over the objections of Bob Rae, over the objections of the Premier, over the objections of the Liberal Party. The people have a say.

I say to the Premier that any reference to this as Mulroney's deal is hypocritical on your part, because they hate you as much as they hate Mulroney. Why open that up? Why play into the hands of Preston Manning?

1850

I have a second piece of advice for the Premier before I get on to others. When it comes to the referendum, we know the Premier of the province of Ontario is not committed to the referendum, never has been, and even now, when this Brian Mulroney whom he seems to hate so much has said publicly on two occasions, "It's 50% plus one in 10 provinces or no deal," when Joe Clark has said, "It's 50% plus one in all 10 provinces or it's no deal," the Premier of Ontario won't make that commitment. Bob Rae now says, "Well, we'll have the referendum, but it's not binding." That is hurting the Yes side. I've heard a number of people say, "Oh well, if we vote No in Ontario it doesn't matter, because Bob Rae said it's not binding." Well, it is

binding. It's binding on any politician who is listening to the people these days. It should be binding. The Prime Minister said it was binding; Joe Clark said it was binding. And if Bob Rae would come out and say: "It's binding. I will live by the vote of the people as I should; this is democracy," then I think it would help the Yes voters, because he's allowing people to vote No with some immunity that there is an alternative.

I want to talk today about the alternative as well. There's a myth that, if this deal is turned down, the status quo is okay, that we can carry on the way we are. That is a myth. The BNA Act is gone. We have an incomplete Constitution that Quebec says it will not accept. Rather than accept that, they will move to separate from Canada. So that is the result of the No side. It's not alarmist. If that's what people want—and I think they should make up their minds—if they feel this deal is as flawed, as many do, they should vote No. But understand that the status quo is not one of the results of voting No. Understand that.

Those are my two points of advice for the Premier of this province. One of the reasons, I believe, why the Yes vote is declining in the province of Ontario—he hasn't taken my advice on many other things, including some of the legislation, including the unionization of the province, including the massive tax increases, including the \$10-billion deficit. He didn't take my advice on economic union, on property rights, on some of the other things. I hope he'll take my advice on these two aspects. I believe, contrary to all the political experts, it looks like, and certainly the pollsters and the media—they don't understand the politics, the dynamics, the polling of referenda. If they had truly looked around the world at any complicated referendum—not the simple, "Are you in favour of abortion or opposed? Yes or No," "No death penalty, Yes or No," but a complicated Yes or No question to a complicated problem like the Constitution—it's so much easier to campaign on the No side. Traditionally, the No side spurts into a big lead, and then towards the end people realize they can't say No to the pollster any longer, three weeks before, with immunity. They ultimately have to decide: Is it this deal or is it no deal?

Unfortunately, if the Premier and if the Prime Minister and if those involved with this referendum who really weren't committed to a referendum in the first place had thought about it, we would have had a completely different campaign. We would have had a completely different campaign to encourage and suggest to people that they vote Yes than we have seen. One of the great regrets I have is that many of the people running the campaign, like the Premier of the province of Ontario, Bob Rae, and like Brian Mulroney, were not committed to a referendum. So it's the Brian and Bob show, and it's not a very good one.

However, let's deal with some of the aspects of the deal. Let's deal with Preston Manning first. Preston Manning says there will be no personality for him in this debate. No personality. He's just going to deal with the issues, he said. Preston said, "I'm going to talk about the deal and why it's flawed"—and every ad he has talks about it as Brian Mulroney's deal. Well, it's not Brian Mulroney's deal. He, of all of the leaders of various governments, had the least to do with the deal. Bob Rae had more to do with it. Clyde

Wells had more to do with it. Joe Clark had more to do with it. So if Preston really believes that, if he wants to talk about the issues, why is it that every one of his free-time ads talks about Brian Mulroney's deal? It's to conjure up that negativism, to say, "If Brian Mulroney's for it, you must be opposed to it." That's the first thing I have to say to Preston.

The second is what a disappointment Preston was when he came into Ontario with his first Yes campaign speech and said to Ontarians, "Don't make up your mind now." This was the man of principle from the west. He said, "Don't make up your mind now." By the way, he stands for a lot of things I agree with: balanced budgets that many governments, Conservative, Liberal and NDP, have abused—a number of things. He said Ontarians should wait to see how the rest of the country's going to vote. Wait for the pollsters to tell you how the rest of the country's going to vote, and you should vote the same way. This man of principle, who has been as critical as I have of government by poll, of government without principle, of government without value—and yet this is what he told Ontarians to do. He lost a number of supporters right there.

When he does talk about the specifics, he talks about three aspects. He says there's no triple E Senate. Well, Premier Getty, soon to be ex-Premier Getty, obviously with no motive any longer, the strongest, loudest, noisiest, most insistent advocate of triple E Senate, says there is a triple E Senate and says this is what the west wanted. So do we believe Don Getty, who has absolutely no political motive left? Do we believe Don Getty, who says we have a triple E Senate, or do we believe Preston Manning, who has a lot of reasons to try to distance himself politically from any of the established politicians of the day? I believe Don Getty. There is a triple E Senate.

I don't particularly like it. I don't think it's in Ontario's interests, but on balance, as part of the package, I believe it's in Canada's interests. I think it's as good as or better than the Senate we have, and the only better choice is probably no Senate. Perhaps one day that too will come to pass. But in the meantime we're surely no worse off with this elected Senate, a triple E Senate, than we were.

The second thing Preston Manning talks about is the social charter. He says, "Don't vote for this, because there's a social charter in it, and that will commit the federal government to expensive social programs whether the money is there or not or whether they want to or not." Well, Preston Manning is wrong. Just as Bob Rae stood in the House today and said, "Oh yes, the social charter means something," it means absolutely nothing in the way of commitments; nothing. It is not binding and it means nothing. It is not challengeable in the courts. Every government—every provincial government, every federal government—can completely ignore it for ever and a day.

It's a nice statement of intent we all agree with, that we will have national social programs. The Premier today stated that other premiers who first looked at him—"Are you crazy?"—afterwards supported it. The reason they supported it? Because it's not justiciable and it's not binding, and they were prepared to support it as a principle of intent. So in that case, both Preston Manning and Bob Rae

are dead wrong by every constitutional expert who has analysed this deal.

Many are arguing that there should be firmer guarantees for national social programs, and they are disappointed it's not in there. I say to them, the Constitution is not the place for that. The Constitution is how the federal government, the provincial government, what powers they have, will interact to bring on whatever programs we want at the time, and the Charter of Rights and Freedoms is there as a protection for individuals from big governments. That's all. That's all the Constitution is. So the second argument put forward by Preston Manning falls by the wayside.

The third one he uses has a little more legitimacy. It's the 25% for Quebec. Nobody has talked about that. Those of us here on the Yes side, for some reason or other want to ignore some things that are in this agreement. I think we should talk about it. People I'm talking to are concerned about this.

This deal entrenches the right of Quebec to 25% representation in the House of Commons for as long as it's in the Constitution. What does the 25% mean? First of all, Preston Manning brings this up. He doesn't bring up Prince Edward Island, which has 10 times that representation for the basis of its population, because bringing up PEI doesn't invoke that anti-French, anti-Quebec sentiment that might encourage people to vote No. But if you're really concerned about this principle of representation by population, then you would think you would bring up PEI. However, he does not bring that up.

But the 25% representation by population for Quebec, de facto has been virtually guaranteed in existing constitutions now, not quite as directly as this. It is a fact of life. They are entitled to in excess of 25% today, and demographers tell us that that's likely to be the case for the next 20 to 30 years. This part, though, is one of the most difficult, I think, for people to have to come to grips with. I think this could be a problem 20 or 30 years from now.

1900

All I can say, to those who feel this is a dealbreaker, is: "Let's have a country for the next 20 or 30 years and let's deal with it when the time comes." It can always be dealt with at any time that anyone in Canada thinks it's a problem. I doubt that 30 years from now, if the Quebec population drops to 24.5% and it's entitled to one fewer seat, 69 instead of 70—I don't know how many they have—or 81 instead of 82, I really doubt this is going to have an significant impact on my child's education, on jobs, on the economy or on retraining or on whether there's a political will to balance the budget. I doubt it.

But if at the time Canadians feel it's a concern or other provinces feel it's concern, it can be addressed and it can be changed. If it's such a problem that Quebec will use a veto to not change it, then nine provinces can opt for sovereignty-association. The precedent has been set. But at least we'll have had a country for 20 or 30 years. At least we'll have had an opportunity to work our way beyond this last 50-year period of trying to repatriate the Constitution.

So I say to Preston Manning: "Your arguments ring a little hollow to me compared to all the great achievements

that are contained in the Charlottetown accord. I understand why, in your ads, you try and call this Brian Mulroney's deal, encouraging people to vote No for that reason even though it is not Brian Mulroney's deal; it is Canada's deal."

The second thing I want to talk about that has not really been talked about too much—and these are the concerns I'm hearing and my caucus members told me in caucus today that they're hearing from people—is Pierre Trudeau. Pierre Trudeau has struck a chord, because Pierre Trudeau talked about Quebec. He said that Quebec—what were his words, because they have had an impact—is blackmailing us on the Constitution and that, if this deal goes through and if it's Yes across the country, Quebec will blackmail us some more and is never satisfied.

I refer everybody—I'm going to reprint copies of this and have it available in my office if anybody wishes copies or doesn't have access to the *Globe and Mail* of October 8, 1992—to an article by Gordon Robertson, who is the former Clerk of the Privy Council and secretary to the federal cabinet, who was Trudeau's closest adviser, who was his key constitutional adviser through all those years and who started out, as he says in the article, as a friend of Pierre Trudeau's.

"Pierre and I worked together as juniors in the Privy Council office from 1949 to 1950, preparing for and helping with the federal-provincial conferences on the Constitution in January and September of 1950"—42 years ago.

He goes on to talk about how he moved with Pierre Trudeau. When he became principal secretary to the cabinet, he says, "Virtually every working day from then until I retired as secretary to the cabinet in 1975 began with a meeting in Mr Trudeau's office," dealing with the problems of government.

Then, after that, when he stepped down, he continued for another four years, until Mr Trudeau's government was defeated in 1979, as the senior adviser in all the constitutional conferences of that period. He has no vested interest and he comments, in the *Globe and Mail* article of October 8, on how Pierre Trudeau is misleading the people of Canada, quotes such as,

"My honest opinion now is that Mr Trudeau is misleading the people of Canada as they try to think through the answer they must give on October 26."

"Mr Trudeau accuses the governments of Quebec, over the years of constitutional discussion, of asserting 'traditional demands' that changed and grew as various of the 'demands' were granted."

Gordon Robertson points out that as far as constitutional demands go, Quebec has never been given one single thing, ever, at least from his recollection back in 1949. Quebec constitutionally has never been given any one of its demands. So Trudeau says when they get one, they ask for more. They blackmail for more.

The fact of the matter is, as pointed out by Gordon Robertson, Quebec has never been granted anything. Trudeau said, "The only constant being that as soon as the ransom was paid, the Quebec government would come up with a new one." Gordon Robertson says that no ransom

was ever paid. Constitutionally, we never gave Quebec ever what it wanted.

I've talked about it in this House on a number of occasions. It's very simple what Quebec wanted constitutionally. They wanted the power over language and culture to be in Quebec City, not in Ottawa. They didn't trust the majority of English Canada to protect the French language and the French culture. They have continually asked for that power and the federal government has continually said no, particularly with Trudeau, "No, you can't have that." They said, "We'll give you government offices in Hull." They didn't ask for that. They said: "We're not stupid. We'll take it."

Successive federal governments have perpetrated this myth on the people of Canada, that Quebec somehow or other wants the country to be bilingual. Trudeau wanted the country to be officially bilingual, not Quebec. Quebec said: "We will protect the French language and culture here in this province. We don't trust that power with all of Canada, with the domination of English in Canada." I agree with Quebec, always have.

But for Trudeau to blame Quebec because Trudeau himself would never agree to the one request Quebec wanted in repatriating the Constitution, in the 1981 deal, in Meech Lake and now in Charlottetown, this is a charade. Quebec has said, "You won't give us the power over language. Then we'll have to have the power over these other 15 things that will de facto give us the power over language—immigration." They get into all the other things.

The simple answer 50 years ago was, "Give the power over language and culture to the provinces." We wouldn't do that, and Trudeau blames Quebec for that. I blame Trudeau for that. I blame a succession of federal governments for that, including the current federal government.

Who is this? This is Gordon Robertson, who was there every step of the way, who says Trudeau is lying. This blackmail suggestion of Trudeau's is the most powerful argument in English Canada to vote No and it's based on a lie, it's based on a myth, as told to us by Gordon Robertson, Clerk of the Privy Council, top civil servant job, chief adviser to Trudeau day in and day out and his chief constitutional adviser.

He goes into some of the details, because Trudeau is going to have a book out shortly. Trudeau's agenda, I suggest to you—because Gordon Robertson shoots down all his arguments—was his vision of Canada: bilingual, French and English, equally in Quebec City and the city of Edmonton, from sea to sea.

That was rejected by Quebec as it was rejected by the rest of Canada, but the rest of Canada blames Quebec for blackmailing and asking for more when it's never been given one single thing in the Constitution, the one thing it wanted. Quebec blames English Canada for not understanding when in fact it is the federal government, starting with Pierre Trudeau, that our anger should be directed at.

I hope people will request this article. I hope those of us in the Legislature will read it. He talks about the constitutional conferences of 1950 and 1964. They failed. Nothing was given to Quebec. He talks about no changes made:

"All the conferences and meetings during Mr Trudeau's years from 1968 to 1979 were equally unproductive: no change whatsoever. The 1981 conference reached the famous 'agreement without Quebec.'

"The Charter of Rights of 1982 was imposed on Quebec without the agreement of its government. It did not respond to any 'demand' of any government of Quebec. It curtailed the powers of all legislatures and of Parliament. In short, there has been no constitutional change to this day—not one—to pay any 'ransom' or 'blackmail.'"

1910

There are a few things. "The Canada clause does not 'prevail' over the provisions of the Charter of Rights. Those rights remain unchanged." Trudeau says it does. Gordon Robertson says that Trudeau is wrong, that he is misleading you, that in fact the Charter of Rights does take precedence over the Canada clause.

The second thing Trudeau says is that the accord "would mean the end of social programs in the poorer provinces," trying to stir up fears. Gordon Robertson says Trudeau is wrong. "The accord would not 'mean the end of social programs in the poorer provinces.' All it would mean"—people have asked me about this and I think they should understand what it means—"is that such programs, in areas of exclusive provincial jurisdiction, could not be imposed on a province without its consent and the chance to mount its own program. Nor does the province get federal money on demand; it must have a program 'that is compatible with the national objectives.' Nor can a court compel Parliament to vote money for a provincial program. Only Parliament can vote funds, and only it can decide.

"And what alternative would Mr Trudeau propose? That the federal government could impose a program in an area of exclusive provincial jurisdiction against the wishes of the government that has the constitutional power in the area? We had enough of that trouble in the 1960s."

This is typical of a lot of the No campaign. What is their alternative? The power to the federal government to overrule all the provinces and impose something on them against their will? That's what Trudeau wants, or there is no deal.

He talks about Trudeau says that we will never have a common market if the accord is approved. Well, that's nonsense. I disagree with Premier Rae, who says that we've gone a long way towards dropping the interprovincial trade barriers and an economic union. We've gone no way; we've made some simple statement that at some time in the future we'll sit down and look at it. That's what we've been saying for the last 50 years. However, there's nothing different in this Constitution than is in the current one, than is in the BNA Act. There's nothing to prevent us from doing that. In fact, there is a statement of intent. In that sense maybe it's one step forward.

He goes on to say:

"Mr Trudeau's concept of the perfect constitution would have no chance of agreement. Nor would Robert Bourassa's, or Preston Manning's, or Jacques Parizeau's. We cannot get a neater, more precise Constitution that will be acceptable to all the different interests and views in all the different parts of our complex, multicultural, multi-ethnic society."

He concludes by saying:

"Neither Mr Trudeau nor any other critic of the Charlottetown accord has presented an alternative. The status quo is not a realistic possibility."

I ask people, when they take Trudeau carte blanche, as they tell me some are doing—those who hated his policies now jump on the bandwagon because they've said that Quebec is blackmailing us. It's the federal government that blackmailed us. They blackmailed Quebec and they blackmailed the rest of the country to accept some vision of this country that was unrealistic, impossible and unacceptable. That's all.

If people wish to vote No on the merits of the deal, I understand that. That is your right as a Canadian—I believe in this referendum process—but it is also your duty to try and understand the issues as best you can, to discount the myths in making up your mind and vote Yes or No on the basis of the facts, not on the vested interests of Pierre Trudeau who has a very strong vested interest in his vision of this country. Gordon Robertson, as an old chum, as a friend, as a compatriot, as a fellow lawyer who worked so long and hard, who has no vested interest other than presenting the facts: You can imagine how much it must have hurt him to come out and tell the truth for the Canadian people.

The final point I want to address is that people have said to me and my caucus has said to me—on this weekend they talked about native self-government—"What does that mean?" There is the uncertainty that's there. The fact of the matter is I asked the same question. Also, the fact of the matter is that until Mr Bourassa joined the debate after July 7, the deal was unacceptable to me. The July 7 agreement was unacceptable to me because nobody knew what native self-government meant and we didn't know what it didn't mean.

When Mr Bourassa came to the table on July 7, he said: "I'm not signing this deal unless I understand what native self-government means. How does it stack up with the charter? How does it stack up with the existing laws of the land? What takes precedence here?" Nobody was able to explain that to him. That's fine.

They said, "We'll work that out over a series of negotiations for the next five years." But it was Mr Bourassa—not Mr Rae by the way, nor any of the other premiers and shame on them all, I think—who said then, "If you cannot tell me what it means, I want it clearly understood what it does not mean."

On this issue, we have to thank Premier Bourassa for spelling out what native self-government does not mean. It does not mean that native self-government can in any way go against the principles of peace, order and good government in Canada; that's number one. Native self-government must fit in with the Charter of Rights and Freedoms and the laws of the land. We thank Mr Bourassa for that. We must thank him as well in that it said it does not mean any more land or any more benefit for natives other than they're already entitled to by the treaties that have been there, or that they would have been entitled to before the Charlottetown agreement. We can thank Mr Bourassa for spelling that out.

The fears that many had about the uncertainty of native self-government, I believe, have been answered. We don't know exactly what it will mean, but we know that it will not mean those things that many bring up as fears: that natives will be able to have their own laws, that they'll be able to have machine guns on reserves, that they'll be able to have something other than they are entitled to now under the existing Constitution.

I want to talk about some of the things the No side is talking about and the myths involved in them. There are in fact some aspects of this deal that any individual would say would not be a first choice. Of course it would not be my first as well. I understand those arguments. I understand those who say, "The deal is unacceptable to me," understanding that the status quo is not there. They will have to make up their own minds on whether they believe something better can be negotiated for Canada. My own view is it cannot, but some may feel otherwise. That's fair. I trust the people. If they get the facts straight and avoid the myths, they will make a decision in the best interests of Canada.

If that decision is No, then I and my caucus will respect that. If we should be asked, as I hope we are not asked, to do something in this Legislature against the will of the people of Ontario, we will vote with the people as they vote in this referendum. This is a binding referendum as far as we are concerned. Otherwise, why spend the time, the effort and the money? Why say to people: "This is your Constitution. You have a choice"?

1920

The Yes committee ads all say that. They all say that it is your decision, not the politicians'. So we respect that. I believe nobody can predict what exactly will happen if the vote is Yes or if the vote is No. We can only speculate, but if Ontarians vote No, we'll respect that and we'll go forward as best we can and we encourage the rest to do the same.

The fact of the matter is, though, that constitutions, apart from being wonderful make-work projects for politicians, constitutional lawyers and consultants, are not the bricks and mortar of a successful country. What really matters is how we go about creating wealth, how we provide equal opportunity for all Canadians to share in that wealth, how we look after our seniors, our children, prepare them for the future, how we take care of our neighbours, how we take care of our environment and the world around us. This is the true measure of a country, not how many constitutional clauses can somehow dance on the head of a pin.

So I close with this. Understand the relative importance of this document, given that history has shown us all around the world that politicians will do and the public will let them do and ask them to do what they think is right, whether or not it's in the Constitution. History has shown this around the world and it has shown us right here in Ontario that Canada's fate ultimately rests not with its Constitution but with the ability and the will of its people to shape it politically, economically and socially.

I believe that this accord represents our best and perhaps our last chance to put this last round, the 50-year round of repatriation, this last round of constitutional

wrangling, behind us and get on with shaping a better Canada for us all.

Hon Marion Boyd (Minister Responsible for Women's Issues): I'm rising tonight to speak for myself as the member for London Centre but also out of my position as minister responsible for women's issues in this government. I want to address specifically the very deep concerns that have been expressed by some women's groups about the constitutional accord reached at Charlottetown in August.

One of the concerns that I have is that the really deep dismay that has been expressed by some of those women may mask the fact that they speak out of their enormous commitment to equality issues, to the enormous amount of work that they have done to try to empower those who are most disempowered—the poor, aboriginal women, immigrant and racial minority women, the disabled and all our daughters.

So I want to start off by saying that I respect the fears that have been expressed and I recognize our responsibility to describe very clearly why we and many other women's groups do not agree with the interpretation of the accord that the National Action Committee on the Status of Women and the National Association of Aboriginal Women have.

Having said that, I want to also say that the majority of those concerns appear to stem from the belief that the concerns of women were not represented at the table and that the results of the process, the accord itself, indicate that women's input was not there at the table.

We in Ontario acknowledge very clearly that the process was not perfect and that the connection between the federal constitutional conference and the multilateral process could have been better, and no one has described that more frankly than our Premier. However, we were in a situation of course which required those who are duly elected, democratically elected, to represent their governments at the table, whether they were ministers of inter-governmental affairs or the premiers themselves. The sad fact of political life in Canada is that the leadership in most parliaments is not representative of women. We do not have 52% of our parliaments at any level representative of women. Therefore, the responsibilities of our duly elected governments do not themselves always represent that viewpoint equitably, even though those of us committed to equity try to ensure that balance is achieved.

You know, it is something of a miracle—and certainly in my short time in politics I'm impressed by how much of a miracle it is—that 10 duly elected, democratically elected provincial governments represented by their premiers, two territories, four national aboriginal organizations and the federal government, representing all political stripes, all views on constitutional issues, were actually able to reach an agreement. It shows remarkable generosity and remarkable concern.

Of those at the table—it is true, there were only two women who actually sat at the table: Rosemarie Kuptana, who represented the Inuit people as president of the Inuit Tapirisat of Canada, and Nellie Cournoyea, the government leader of the Northwest Territories. But many of us, of

course, who are members of governments, who work with the premiers and with the intergovernmental affairs ministers, were in touch at all points of the negotiations with various women's groups and certainly our government was.

The issue, of course, is that all those wishes weren't met and there is no doubt about that. It is very difficult in a negotiation with so many different viewpoints to ensure that absolutely every point is going to be met. But let's look at some of the criticisms; let's look at some of the specific things.

One is the referendum itself. Although, during the constitutional conferences held across this country, women as well as men were saying they wanted some input into the final decision, they now are saying that the referendum becomes a take-it-or-leave-it proposition. I can understand that when we have an agreement, for example, at a union table, as union members we must vote for that agreement or against that agreement, because that agreement is what we are faced with ratifying. But it is also true that this particular package makes it possible for additional input into the changes that will happen under this agreement. There are many different points in the agreement where we know there will be further discussion in a bilateral and multilateral sense. It is our intention as a government to ensure that women's groups are involved in this.

Some of those areas are monitoring the social and economic union: the implementation of the principles of the Canadian common market; the Senate electoral system chosen for each province; the possible gender equality and Senate representation; the framework exercise of federal spending power; the negotiation of intergovernmental agreements, particularly with respect to labour market training; protection of CAP under the intergovernmental agreements mechanism; the development of national policy objectives in labour market training, and the discussion of aboriginal gender equality at future first ministers' conferences. Those are all issues we will have a good deal of input into as elected governments and we will be consulting with those various reference groups who are most concerned.

One of the other issues, of course, has largely been laid to rest by the legal text. That is the position of aboriginal gender equality under the aboriginal self-government proposals. It is important for us to be very clear that those changes are very much supported by us and we understand that the wording that talks about inherent self-government as being subject to the equality rights is a very fundamental part of this agreement, one that we certainly assumed was in the first place. But spelling it out under the legal text is very important.

1930

As we look through the kinds of concerns that people have, the major, final one I wish to speak about is the possible opting out of programs, and it is extremely important that we keep in mind that this was one of the major issues for women during the Meech Lake accord discussion. There was real concern that some of the social programs that might become federal programs might not be available under that, and the concern is the same here.

We would say very clearly from our position that what has prevented federal programs has not been the Constitution but in fact has been the political will of the various governments across Canada, and that what has been achieved in terms of this accord gives us hope that we can reach some agreement around some of those fundamental programs, at least agreement about what the fundamental objectives would be of those programs and how we could ensure that cost-sharing makes those objectives possible in each province.

Without this agreement we have no such assurance, because in fact we have not had a new federal program since the medicare program was instituted some 25 years ago. That is very real for us to have in our minds when we have all sorts of visions of this agreement interfering in terms of federal programs.

We believe, as a province that is taking a leadership role in many social programs, that the leadership role taken by Saskatchewan in medicare is the kind of leadership role that provinces can take and that the achievement of federal programs often starts at the provincial level, not the federal level. The proof of the effectiveness of these programs then becomes something that other provinces and the federal government want to share.

So we would say to those who feel that this somehow prevents those kinds of federal programs that we believe it sets the stage for the accomplishment of those programs and takes away some of the fears that have stood in the way of the spreading of such programs across the province.

As the rest of my colleagues on this side of the House go on, we will be addressing some of the other issues that are of concern to women, because we believe that the dedication, the concern and the commitment of those women who are opposed to this deal need to be validated, need to be respected and indeed need to be answered. We believe very strongly that when people understand the facts of the case, they will vote Yes on October 26, and we as a party will do all we can to answer the concerns.

Mr Steven W. Mahoney (Mississauga West): Mr Speaker, according to your instructions, I'll try to do this in under two hours to save time for you and others. In all seriousness, as we are all cooperating in a spirit of goodwill that we're perhaps not used to in this place, having agreed to share the time so that all members have an opportunity to express their views and their concerns, I will be reasonably brief.

One of the areas that I wanted to touch on was the reasons people give me, when I talk to them in the community, for voting No. There's a sense that those of us on the Yes side—and I guess there appears to be somewhat of an imbalance in that the vast majority of members of this place are on the Yes side, but so be it. Perhaps there's a reason for that, which I won't dwell on.

But the people who say you're voting No, let me tell you a story. I was recently at an opening of a new United Church in my riding and there was a lady there from the hierarchy in the church, very senior in terms of position. I turned to her and she saw the ribbon that I was wearing and asked me what it was. I told her it was a symbol of the Yes committee in Mississauga, the red and white ribbon

that we started in Mississauga and that we hope spreads throughout the country. I told her it was for the Yes committee, and she said, "I guess I shouldn't expound on the reasons that I want to vote No." I said, "Just briefly tell me," and we're doing this in whispers in a church of course. She said, "I just want to send a message to that Mulroney guy."

I'll try to put this in as non-partisan a term as I can, but I think most members on the government side in this Legislature recognize, perhaps not in all cases but in many, many cases, that there was a protest vote in September 1990, and your own Premier indeed has said he was surprised at the results and did not expect to become Premier. So I say to the people out there, again being fair and as non-partisan as I can, "Don't make the same mistake with this issue that was made in September 1990." That could happen.

It's not necessary to vote against Mulroney. It's also not necessary, as opposition politicians would know, as we hear on a constant basis people's concerns about things that this government is doing, I say to them, "Don't vote against Bob Rae on this." Frankly, I say quite openly, I think Bob Rae's done a very good job on this. I thought David Peterson, frankly, did a good job at the Meech lake debates, and I think Bob Rae has carried sort of the tradition of Ontario premiers, in areas of national consequence, to be non-partisan and to be leaders, and I think that this goes back through all three parties over a number of years.

I congratulate the Premier for having to take what many people would think are difficult positions. He talked earlier today about many of the negotiations that went on and how at times you don't get everything you want in a particular deal, and I think we have to recognize that. I say to the people that I deal with in the province, in Mississauga and elsewhere: "Don't vote No because you're mad at Mulroney. Don't vote No because you're mad at Bob Rae." I say also, "Don't vote No because you might have some anger towards the province of Quebec."

One of the biggest problems in this whole debate, going back into pre-Meech days and even in the current debate—and I don't mean to throw this on the press—is the way things come across to the people. You'll read a headline. It'll scream at you, "Quebec Demands Veto," but then you read the body of the article and what Quebec was perhaps demanding was a provincial veto, for all provinces to have a veto on a particular issue, not just the province of Quebec.

I find when I talk to people in the community and members of my family, members of my community, they're astounded to find out that it isn't just a singular benefit for the province of Quebec, because that's how it's reported and that's how it appears to come across, but in reality a benefit that goes to Quebec, with one exception, goes to every other province. The one exception is the distinct society.

I think we all simply have to make a decision on that, and again, if you're voting No because you're angry at Quebec, I say to people to make sure that you're voting with all the facts, make sure you understand that if indeed you're unable to accept Quebec as a distinct society, then

so be it. But frankly, the majority of people I talk to, the large majority, Mr Speaker, really don't see that as an issue any more. They really feel that all you have to do is cross the Ontario-Quebec border to recognize they're pretty distinct in areas of culture and language and just the sense of the community.

Just go to Quebec City, where I believe tonight the Eric Lindros affair is finally culminating with an appearance on le Colisée ice, and God bless him and God bless the Québec Nordiques—I personally hope Quebec wins, but that's beside the point—and see the difference. Tell me that it's not distinct from the perspective of culture and of language. But I don't want to argue that, because if people at this stage in this whole constitutional debate are not prepared to accept that Quebec is distinct, then I'm not so sure we can change their minds, nor am I sure we should really discuss it all that much more.

Those are the reasons I get from people, that they're mad at the politicians involved or that they're mad at Quebec, and I'd like them to look a little further than that. One of the things that gets so frustrating and, frankly, the leader of the third party, Mr Harris—I can't quote it exactly—made a comment in one of his earlier speeches that "If you're looking for something in this deal for you, stop looking, because what's in the deal for you is a country, the country of Canada."

I think what people have to stop doing is saying, "Can I get more rights? Can I get more leverage? Can I get something that's beneficial to me," whether it's in British Columbia, whether it's in northern Ontario, whether it's in the city of Toronto, whether it's on the east coast or whether it's in Quebec. "What am I looking for here? Am I looking to cut some kind of deal that's going to be beneficial?" What I think we all have to do is put our self-interest aside.

1940

When I ran for the nomination to stand as a provincial member, one of my remarks that night was, "I don't represent a community of interests, but rather I represent the interests of the community." I think that's true of all of us in this place. That's what we have to do. We have to represent the interests of the broad community and not be tied down with a particular community interest group.

I say to those groups that one of the great things about living in Canada is the fact that you can exercise your democratic principles, that if you represent an interest group you can demonstrate, you can fight for benefits, you can do all kinds of things that in other countries simply would not be tolerated. That's one of the great benefits and one of the reasons that those interest groups, in my view, in my respectful view to them, should be working towards ratification of this particular accord, so that we can get on with dealing with their particular interest problems or dealing with the economy or dealing with life in general in this country.

One of the things the Charlottetown accord will accomplish is that, in my view, it won't end the debate on constitutional reform but it will hopefully take it out of a crisis venue. Hopefully, we'll have a plan where once a year there will be a first ministers' conference that will be convened, as it states, and they'll be required to take some

aspect of the deal and discuss it and come to some kind of agreement. We'll stop running around saying, "Oh, my God, the country's going to break up; if I vote No, my country's going to fall apart; if I vote Yes, I don't like that particular aspect of the deal," and get rid of this crisis management that just seems to preoccupy us so much in this country. If we can do that, we could put in place a system where, calmly over the years, we can find a way to solve the concerns and the problems of the people.

One thing I said to my own caucus, which I truly believe, is that this deal is only as good as the people involved. If you think about when you go to a lawyer to enter into a contract for whatever—it could be a marriage contract; it could be a business partnership; it could be anything—the lawyer will advise you that when you get right down to it, arguing over where the periods go and crossing the t's and all this stuff, the agreement you're entering into is only as good as the people who are entering into it.

I believe that to be the case here. I will admit that if I were negotiating this deal, there may be some things I would have liked to have seen done differently, but you have to take it with a spirit of understanding, not just—I don't really like the word "compromise," because "compromise" implies that you gave up on something that was important. I think I prefer "cooperation," an understanding that we have to work together.

Think of the diversity of this country. How could anyone expect someone living and working in St John's, Newfoundland, to understand his or her counterpart living and working in Victoria, British Columbia? They're a world apart, literally a world apart, and as a result of that, they're going to have different views. They're going to have different opinions about how things should unfold, different wants and different needs. What we have to create is a federation that allows for that person in St John's to reap the benefits of the local community, whatever those differences happen to be, and at the same time allows the same benefits to accrue to the person in Victoria, but we come together under one roof as one country.

In the very few minutes that are left, I want to just read very briefly from a book entitled *Why Meech Failed*. I think in analysing what's happening with this deal, we should look at why the last one fell apart. As we go into the last three weeks of this referendum debate, we as a people must give serious thought to the consequences of whatever our decision is.

This is a book by Raymond Breton, who is a professor of sociology at the University of Toronto, with a couple of very interesting analyses that he made of the Meech Lake deal. He called it "an accumulation of mutually reinforcing influences into a spiral of misunderstanding and hostility." That was one of the things, creating that spiral. If you think of it, think back to the Saturday night when we thought there was a deal and how it felt great. I remember them calling David Peterson the big guy, as they punched him on the arm, and seven days later that spiral of misunderstanding and hostility drove it into the ground and it fell apart quicker than anyone could have believed.

He talks about a political dynamic that helped transform the debate into a confrontation: "A number of individuals and organized groups in the country used the accord as an opportunity for political action. They saw in it the potential for symbolic or power gains, for compelling authorities to deal with their own grievances, for reversing previous institutional changes, or, in the case of Quebec"—separatists; that's easier for an Anglo—"to mobilize support for their cause."

That was my point earlier, that these groups in Meech saw this as an opportunity to gain something, that they could say to the people they represented, whether you're talking about the Judy Rebicks or the Preston Mannings or whomever, that they can gain something, that they can say, "I got this in my negotiations."

That kind of political dynamic destroyed Meech Lake. A lot of people are happy that happened. My plea would simply be that we not allow history to repeat itself in the case of the Charlottetown accord.

He talks about the polarization, the tension between centralization and decentralization—very important—and the tension between individual and collective rights; we hear that all the time. All of a sudden, this spiral and this misunderstanding around those issues became the fight of the day and the whole thing flew apart.

Then he says finally, "As contradictions are inevitable in any complex, heterogeneous society, the legitimization of policies and programs must be sectoral." That is very important. "They must be founded on basic values, but they must also take into account the particularities of different institutional sectors and different sociohistorical contexts."

Large words, but in essence what I take this as saying is that we concentrate on the sectoral improvements in a document like this and stop worrying so much about the individual gains or the personal gains or the gains for the special interest groups and we look at Canada as a whole. We look at what can benefit everybody. "Maybe I've got to give a little to get a little." That's what I see this particular agreement doing.

He closes this section of why Meech failed by saying, "Flexibility is needed to negotiate the practical arrangements that will accommodate and reconcile the many pieces of the Canadian kaleidoscope."

The "practical arrangements," because it all comes down to pragmatics. It all comes down to the fact that once you take all of this—look at this stuff—once you take all of this documentation and all of these words, it's only as good as the people who put it together, who can now fine-tune and tone this thing to the benefit of all Canadians.

If on the 27th a No vote is successful in this country or in major parts of this country, I don't know if the country will fall apart. I don't know that the Yes vote is necessarily the most important thing in the history of this country. I think it is to date and, therefore, I'm going to vote Yes for many reasons. I think that on balance this is a good deal. What the No campaign will try to tell you is that it's a bad deal and that the Yes campaign won't talk about the deal. That's not true. It's a deal that on balance offers a sensitive understanding of the different needs of the people from coast to coast.

It's a deal that offers a sensitive understanding of the needs of our aboriginal people. Let us not forget that second to perhaps South Africa, no country has treated its natives as poorly as Canada and it's time to right that wrong. But I don't say that on an emotional plea basis; I say that as purely a statement of fact, because what we have to do in the next three weeks leading up to this vote, I believe, is try to strain the emotionalism out of it—very hard to do when you're talking about your country and your future and your kids and everything else—and hit them with hard, cold facts that say a Yes vote will be good for prosperity, a Yes vote will be good for unity, a Yes vote will be good for tolerance and understanding, which in my view is the hallmark of this great country.

1950

The Acting Speaker (Mr Dennis Drainville): Further debate?

Mrs Dianne Cunningham (London North): It is with pride that I stand in this House and take part in this debate, and it is with pride, a great deal of resolve and with utter conviction that I say to my constituents, to the residents of Ontario and to the members of this assembly, that on October 26 I will be voting Yes, for I believe by saying Yes to the Charlottetown accord, I will be saying Yes to the future of Canada.

It is not my intention to revisit all the different provisions of the accord, nor is it my intention, in the time available to me, to give an interpretation of the legal text. Instead, as the elected representative for London North, as an Ontarian and Canadian, and as a parent who wishes the very best for our children and for the generations to come, I intend to state the reasons why I believe the constitutional accord should be endorsed by the people of this province.

I will begin by reminding everyone why we are engaged in constitutional reform. In 1982, when our Constitution was repatriated, nine of the 10 provinces were signatories to it. The 10th, Quebec, was not at the signing ceremony, nor was it involved in the patriation of the Constitution.

Since that time, recognizing the need to protect the uniqueness of Canada, our country has been involved, even preoccupied, in trying to address that very serious omission. The Meech Lake accord came close to achieving that goal. It eventually failed because of what some saw as fundamental flaws.

Mr Wells of Newfoundland believed the "distinct society" clause gave too much away and consequentially detracted from the rights of Canadians who did not reside in Quebec. In Manitoba, Elijah Harper, an MLA, derailed passage of the accord because it did not address native rights and the issue of self-government. There was also general dissatisfaction about the process: Too many important decisions were left to too few people.

In spite of the failure of the Meech Lake accord and the difficult times that followed, the leaders of Canada embarked on a new round of constitutional talks. They did so not because of personal preference or because they were gluttons for punishment; they did so because they recognized the overwhelming need to move on issues of critical

importance to Canada's future, issues such as Quebec's status in Confederation, issues such as the status of our first nations and aboriginal peoples and issues such as that brought to the table by our western premiers, the desire for a reformed Senate.

So if Meech Lake could be construed to have been a Quebec round, the Charlottetown accord is so much more. It is more in terms of its aspirations, for it redefines the operation of the federal government and it redefines the relationship between Ottawa, the provinces, the territories and the aboriginal peoples. It is so much more because of the urgency to move on issues preventing our economic development and growth.

Finally, the accord is so much more because it achieved something unique. It achieved agreement by the 17 participants at the table. Unanimity could not be achieved on the Meech Lake accord. It could not be achieved in 1982 on the repatriation of the Constitution. Yet in 1992, against all odds, this year, this July, it was achieved. The Charlottetown accord is a document that reconciles the hopes and aspirations of Canadians from coast to coast. It reconfirms the role of the federal government and it allows for flexibility for provincial governments as we work together to face a new and challenging future.

On my way to this assembly this morning, I heard on CBC Radio a No supporter who spoke against the accord. He stated that the Constitution had worked for 125 years, so why bother changing it? With logic like that, instead of driving my car here, I would have been using a horse and buggy. After all, a horse and buggy worked for 300 years or more, so why bother changing it? With logic like that, my staff would have been using a pen and paper this morning to do their work. Instead, as we all know, they're using computers. Life does move on. The people of Ontario must realize that a constitution is a living document. It is an ongoing reflection of how we view ourselves and the measures and terms under which we wish to live as a country.

Four years ago the then Premier of this province, David Peterson, said of our Constitution: "Each generation has recognized that for the Constitution to endure, it must adapt to its environment. The Constitution is the backbone of our nation, its sustaining moral fibre. It must reflect who we are. It must be strong enough to allow the normal exchange of reasonable individual, collective and regional political expression. Amending it is to comply with our vision of that great country."

I believe the Charlottetown accord meets that exacting standard. To those who argue that this accord is flawed, I would say yes, perhaps it is. I would go further and say that if I had been privileged enough to have had a seat at that table, I would have entered—and I stress the word "entered"—the negotiations with perhaps a different set of requests. But I'm not convinced that the end result would have been any different, for what we have before us is a compromise, and I underline that word "compromise." I do not use the word "compromise" with any sense of apology. If anything, I believe we should view this compromise with pride, for it reconciled the seemingly irreconcilable, brought conflicting visions to the table and somehow resulted in harmony.

This accomplishment cannot be minimized. Any of us who has worked in public life knows how difficult it can be to achieve agreement on even the simplest of issues. For this accord to have been reached is an achievement of historic note, and everyone involved deserves our praise. I'm particularly privileged this afternoon to be able to put these words on the record at this time in the history of our country.

I would also say to those who believe that a better agreement can be reached that their view is without historical support or foundation. The 10 provinces and the federal government could not reach an agreement in 1982, even though they tried. They could not reach an agreement in 1989 with Meech Lake, and many of us in this House today were party in our own way to those discussions. In spite of our best intentions, we were not successful.

Even now, the Charlottetown accord is under attack in the west because some say it gives too much to Quebec. It is under attack in Quebec because some say it does not give enough to Quebec. It is under attack by some native people because it does not give them enough, yet it is under attack by Mr Parizeau in Quebec because he claims it will give them too much. It is under attack by some because it gives the provinces too much, yet it is under attack by others because it does not give special interest groups enough.

2000

Earlier I spoke of Mr Wells, an opponent of the Meech Lake agreement because he believed it gave Quebec too much. Mr Wells's concerns have been met; Newfoundland supports this accord. I spoke of Manitoba and the desire for native self-government. Those concerns have been met; Manitoba supports the accord.

I mentioned the strong desire, even demand, in western Canada for a reformed Senate. Mr Getty, Premier of Alberta, in many ways the well-spring for a triple E Senate, has had his concerns met; Alberta, Saskatchewan and British Columbia support the accord, and of course Quebec. Since 1982, they have attempted, along with the federal government and the other partners in Confederation, to find the formula to allow them to become signatories to the Constitution. Just last night the Premier of Quebec said, "By voting Yes, we vote to build Quebec without destroying Canada." Mr Bourassa's concerns have been met; Quebec supports the accord.

Many people will think I'm presumptuous in using "supports the accord" in attributing those words to different provinces, but what has our democratic process come to when we elect, in a clear opportunity to place your vote, people to represent us and then send them, after much public discussion, to a table to do what they have to do in reaching an agreement on our behalf?

You can imagine what state of affairs this country will be in if in fact after all the compromises, after all the main arguments, after all the main agreements on behalf of the different provinces and the main expectations on behalf of the different provinces have been met by their premiers Canadians choose not to support their leaders.

During negotiations, there are probably three reasons for a strike or three reasons to turn down an agreement or

three reasons not to be successful. First, the unrealistic expectations of people on both sides; that's a reason not to reach an agreement. Second, the inexperience of the negotiators; that's probably a reason on both sides not to reach an agreement. Third, the one that any workplace, any institution would fear the most is that the day-to-day operations of that institution are not working.

Let not those three reasons for striking down this agreement tell us that Canada is in that kind of difficulty. I believe the day-to-day working relationships between our provinces and in our country are somewhat strained from time to time, but this is the best country in the world and people choose to live here. Above all, they choose Canada.

Secondly, let it not be said that those who represented us at any table, and especially in Charlottetown, were not experienced. There was a great depth of experience, because in a democracy as we have, we have our elected politicians and we have those persons who advise them, and some of them have been there for a long time and have suffered through the deliberations of Meech and again in Charlottetown.

Let it not be said that the expectations of those at the table were unrealistic, because I believe that the real expectation of everyone at that table is that in the end we have and retain Canada as a nation as we know it. Although I said from time to time that Newfoundland has what it wants, that the western provinces got what they wanted, that Quebec got what it wanted, I understand it's still up to the people to make their choice, but I think it's at great risk if they don't vote in favour of this agreement.

So many conflicting views, desires, visions of Canada are all brought together in this one, and I underline the word, fragile agreement that establishes a road map for the future growth and development of this great country of ours. It was Sir Wilfrid Laurier who said, "The governing motive of my life has been to harmonize the diverse elements which compose our country." I believe the architects of the Charlottetown accord in their work shared that same vision of leadership and of Canada. They accomplished a great deal, and I believe their accomplishment deserves my support. I will be voting Yes on October 26. I am confident I will be in a majority.

The Acting Speaker: Further debate?

Mr Gordon Mills (Durham East): Like my colleagues who've spoken before me, I feel myself to be honoured and privileged to take part in this debate on what I consider Canada at the crossroads, the Charlottetown accord.

I'm going to keep my comments very simple and understandable for everyone. Most of the people, myself included, haven't much desire to delve into the so-called legal text pertaining to the agreement. I have it here and I've looked through it and I'm sure most of the people haven't got the time or the inclination to read that or even to understand it, so I'm not going to go on about that any longer. I'm going to leave that to the constitutional lawyers, to the academics and to the assorted groupies to wrestle with that document later on.

I'd like to speak to the accord and I'd like to call it the "in" deal. Aborigines are "in" with the inherent right to

self-government. Social justice is "in" with the social charter. The west and the Atlantic provinces are "in" with equal representation in the reformed Senate. I'll just juggle my notes here. Quebec is "in" with the recognition of a distinct society.

Of interest to you, Mr Speaker, more efficient government is "in" with better division of powers and less duplication of spending, and to my friends across there who are not paying particular attention, business people are saying that investment will be "in" with the economic union and constitutional stability.

We have negotiated an "in"clusive agreement with unanimous support around the bargaining table. That consensus was difficult to achieve, but the result is an agreement that benefits all Canadians.

The response from the people of Canada has shown we were right to push as hard as we did for the social charter. We have created a social justice blueprint for the future. It is one of the most popular elements of the Charlottetown agreement, with its protection for vital social programs such as medicare.

The recognition of the inherent right of aboriginal self-government is a model for the rest of the world. The government of Ontario fought hard for this. We could not renew the Constitution without the participation of the aboriginal peoples.

This is a document that Canadians can support with some great degree of confidence. Smaller provinces have a greater role to play and more power to exercise with the accord. The reconstituted Senate will allow for more effective input for every region. Better controls on equalization payments and the recognition of the distinct character of Quebec are important regional benefits.

The Constitution already guarantees a minimum number of seats for every province. For example, New Brunswick must have at least 10, Manitoba must have at least 6 and Quebec's floor of 25% of the seats in the House of Commons simply reflects reality. Quebec currently has 25.3% of the population of Canada and that population will remain above 25% for at least the next 30 years. If the population of Quebec doesn't fall below 25%, the floor clause will never have any impact.

2010

The Charlottetown accord guarantees no province will have fewer seats in the Commons than another province with a smaller population.

The benefits of economic union provisions will be felt across this country. The goal of full employment, and the free movement of goods, services and capital will strengthen the economic health of the nation.

No rights have been altered. The Charter of Rights and Freedoms has not been watered down.

Specific guarantees of the equality of men and women and the equality of aboriginal women and men remain in force.

Equality rights for all citizens—disabled, ethnic minorities—will be improved with the Charlottetown accord.

The agreement is an act of what I should call "national reconciliation." It is a remarkable achievement that 10

premiers, the Prime Minister, territorial leaders, aboriginal leaders and others were able to reach such an agreement.

If the agreement is to pass, people must get behind it now. This issue has now become too important for us mere politicians. The people of Ontario and of Canada must make their voices heard.

Citizens must take the opportunity to study the agreement, find out what it's about and get out to vote. This is a historic moment in the life of our country and we must all participate.

There will be some disagreement, and that's the right of all citizens living in a democracy, but there will be no apologies for the hard work and important step forward that this agreement represents.

Although this agreement, like any negotiated compromise, doesn't include everyone's definition of the perfect outcome, I believe we can be pleased with what we have accomplished. We must recognize that it is very unlikely that a better outcome would result if all parties were sent back to the bargaining table once again.

The status quo is not an alternative. We have been trying for some time now to build this solid foundation. It will prove very difficult to pick up the pieces once again if this agreement is rejected.

But Canadians want to move forward. The Charlottetown agreement was created with that in mind, the will to improve the country we love.

We all have a role to play. Study the issues, understand the importance of the accord and then spread the word: This is a good deal, and an agreement we can all be proud of. A vote of No is more than a step backwards; it is a step into the unknown: unknown consequences for our economy, unknown results for our country.

I urge you to consider these opinions as you vote on October 26.

In closing, I'd just like to say that as an immigrant I arrived in Montreal, Canada, way back in the 1950s. As I got off the train that afternoon and strolled up through Montreal with my family and my two young children and listened to the language, I must say it was with a great deal of apprehension that I went to bed that night. I no longer have that feeling. It's been replaced with a passion for Canada. My passion for this land is just like yours, Mr Speaker. It stems from a love of this country and its people, our history and our relationships.

I urge everyone from my riding of Durham East and everyone who's watching on the television this evening to vote Yes with me on October 26.

The Acting Speaker: Further debate?

Mr Gilles E. Morin (Carleton East): I cannot help but conclude, after reading the Charlottetown accord, that this is a good document. It is balanced, sensible and in keeping with our times. There is much to appreciate in the accord: the Canada clause, the elected Senate, aboriginal self-government and entrenchment of the Supreme Court of Canada in the Constitution.

L'entente de Charlottetown représente, à mon avis, un compromis raisonnable fondé sur le désir de réconcilier plusieurs éléments divergents.

The Canada clause is a generous statement of the Canadian identity. It recognizes the values we cherish and wish to conserve as fundamental characteristics of Canada. I refer to the respect for parliamentary democracy, the equality of men and women, Quebec as a distinct society, the equality of provinces, the inherent right to aboriginal self-government, racial and ethnic equality, and the vitality and development of official-language minority communities throughout Canada.

Along with the Charter of Rights and Freedoms, the Canada clause upholds our commitment to individual and collective rights. This is an important achievement, because those are not mere words. In comparing Canada's human rights record to other countries', we can rightly be proud. Sure, there remains much work to be done. Some attitudes are no longer acceptable. Changes must be introduced in order that greater social and economic justice prevail. We must continue to strive for the betterment of all members of our society, but the Canada clause definitely represents a step forward.

La clause Canada nous présente une vision moderne de l'État canadien, plus englobante et plus fidèle à la réalité.

The recognition of the inherent right to self-government is long overdue. We cannot erase the mistakes of the past. This year, 1992, is the year of Columbus, the 500th anniversary of Columbus's arrival on the shores of the American continent. Many persons have criticized the celebration of that event because of its legacy of discrimination and exclusion. It is true that the indigenous populations have suffered well into the 20th century. We cannot erase the injustices committed against the aboriginal peoples of Canada. We can, however, take all measures necessary today to right the wrongs we have perpetuated. Aboriginal self-government is a positive beginning.

The recognition of Quebec as a distinct society is also important to note. Quebec has a different language, culture and history. This means that it has different challenges to face.

L'histoire nous démontre que le Québec peut s'épanouir au sein de la fédération canadienne, tout en conservant sa propre identité.

Recognition as a distinct society gives Quebec the tools it needs to meet those particular challenges.

The Charlottetown accord contains other provisions that bring Canada into step with the 1990s.

The triple E Senate: As an equal Senate, it will better represent regional diversity and interests. As an elected Senate, it will gain legitimacy. Entrusted with the Canadian people's mandate, the Senate will be able to fully exercise its powers, thus becoming an effective second chamber.

Additional seats will be added to the House of Commons to better reflect representation by population. Ontario gains 18 seats, to be readjusted after the 1996 census.

The Charlottetown agreement is a product of compromise, and necessarily so, because it reconciles the irreconcilable. It attempts to conciliate different visions of Canada so that these may coexist. The accord reflects a pan-Canadian view of the country, including every single Canadian from Quebec City to Vancouver, from Halifax to Whitehorse.

The accord contains the principle of the equality of all provinces, expressed in an equal, elected and effective Senate. It also reflects linguistic duality and governments' responsibility to promote it, including the Quebec government's particular role in preserving its distinctive character. The accord also includes the aboriginal peoples in a partnership between nations.

2020

We are looking at a document that attempts to compromise between differing views of Canada. There is no single right view of Canada, as some critics of the accord would have it. These critics favour their own view of Canada and wish only to maximize their own interests. They are not ready to compromise. They do not want to listen to all Canadians and try to find a middle ground. They say, "Vote No and we will negotiate a better deal later." The truth is that they could never come up with anything better because they don't have the spirit of compromise. Put Lucien Bouchard, Preston Manning and Judy Rebick in a room and ask them to draw up a new accord. I guarantee they will come out of that room empty-handed.

This is a highly inclusive document. It does not leave anyone out. Taken with the Charter of Rights and Freedoms, it offers every citizen of this country the protection of his or her basic rights: women, visible minorities, the disabled, linguistic minorities. No one loses in terms of rights and no one will become a second-class citizen in this country. No rights are threatened by the accord. This agreement respects the diversity of its population. It recognizes that there is no such thing as a generic Canadian, as some opponents of the accord would have us believe. I would add that Canada is known worldwide for its respect for diversity.

The notion of equality has been raised many times in the course of the constitutional debate. It has been alleged that not all provinces will be treated equally, that some are getting more than they are entitled to. The fact is Canadian provinces have never been treated equally. Equalization transfer payments to the poorer provinces of Canada are but one example. Programs promoting regional economic development could be considered a form of discrimination against those regions that do not receive such financial assistance. But Canadians accept these programs because they believe in giving everyone a fair chance.

The Charlottetown accord does not create inequalities. It does, however, contain mechanisms that will allow flexibility in the administration of a variety of programs. Recognition of Quebec as a distinct society and recognition of aboriginal self-government do not create different classes of citizens. These two provisions merely give Quebec and native people the tools required for their protection and development. In no manner do these provisions take anything away from Canadians. For the application of equality to be just, it must necessarily take into consideration the conditions that perpetuate inequalities. We must avoid a simplistic view of equality that confuses equality with uniformity.

Some people are wondering what the accord will lead to. What will Canada be like in 10, 15 or 30 years? No one can predict. If the Fathers of Confederation had known

how Canada's political system would evolve, they might have been fearful of the consequences of their actions. They might have thought, "This is not what we want." But we cannot base our decisions on what-ifs. We cannot assume that the most negative scenario will come true. We live in a democratic society. This means that safeguards exist to counterbalance extreme views or actions.

Our political system will definitely change in the coming years, and it will probably change in ways we would have never imagined. With or without reform, some kind of change is inevitable. But why assume that the change will be for the worse? Our political institutions must evolve if they are to remain in touch with Canadian citizens and lead us into the 21st century. What seemed appropriate in 1867 may simply no longer be right for the 1990s. This is hardly surprising. Yet reform can be accomplished without compromising basic values such as respect for law and order, individual rights and democracy itself.

I mentioned earlier that the Charlottetown accord represented a compromise between different views of Canada. It also attempts to balance sometimes conflicting values. The timely reform of our political institutions reflects these compromises in a moderate and thoughtful manner.

Let us be confident not only in our institutions but in ourselves, in our capacity as individuals and as a nation to manage change wisely and effectively. Amending a constitution is an undertaking of great magnitude, but it needn't be like Rubik's cube. It will never be perfect. It can never match perfectly every person's expectations. It is impossible to conceive a document that would encompass every need, situation or deficiency that may arise 10, 20 or 50 years from today. However, given our present understanding of ourselves and our society, we can prepare guidelines to lead us to shared objectives such as greater economic prosperity and social justice. Since not all Canadians define these objectives in the same terms, compromise becomes an indispensable part of the process.

Je veux signaler l'importance du compromis et du processus qui ont mené à l'entente de Charlottetown. L'échec de l'accord du lac Meech a été attribué, du moins en partie, à un processus secret et fermé qui excluait la population de ses délibérations.

Cette fois-ci, la population a été consultée. Elle a été invitée à participer à part entière, à donner son avis, à se faire entendre. Cela ne s'est jamais produit auparavant dans l'histoire du Canada. Il y a de quoi être très fier.

The unique consultation process that led to the Charlottetown accord is to be commended. It gave Canadians a voice in the constitutional debate. The plebiscite to be held on October 26 is also a part of the democratic process, only this is a direct democracy. I hope that all Canadians will exercise their right to vote. Not all citizens were able to attend the constitutional conferences, for obvious reasons, but every Canadian eligible to vote can go to a polling booth, vote and be heard. This is one of the most important decisions that all Canadians have to do. You must go out and vote, and I speak especially for the solid majority who have been listening for so long. Your say, your participation, is so important for the survival of this country.

I would ask one thing of Canadians as they prepare to vote. I ask them to consider the constitutional accord and judge it on its own merits. This accord was not whipped up overnight. It is a sound document, the result of many years of discussion and reflection. It was conceived to lead Canada into the 21st century, and I believe it will do so admirably.

2030

I know that the Constitution is not the first thing on every Canadian's mind. The economy remains stagnant. Many persons are unemployed or are afraid of losing their jobs. The use of food banks continues to increase. Random acts of violence are a great source of worry to many persons. In addition to all of these concerns, Canadians are disillusioned with their politicians and with the political process.

It is no secret to anyone present here tonight that in the eyes of the public, politicians have lost much of their credibility. But what is at issue here is the Constitution of Canada, Canadian unity. The Constitution must not become a scapegoat. It must not pay the price of politicians in popularity. This is a plebiscite on a very specific issue. This is not an election.

I intend to vote Yes. I support the Charlottetown accord. In my view, it represents compromise and consensus. The alternative proposed by the No forces is the rupture of compromise and the absence of consensus. The No forces offer no alternatives because they cannot reconcile their views. I realize that interests differ, that expectations vary, but the accord not only respects these differences, it succeeds in integrating them into a more complete view of Canada to the advantage of all Canadians. The accord is flexible. It is worthy of our support.

The Acting Speaker: Further debate?

Mr W. Donald Cousens (Markham): First of all, I would like to express my appreciation to my leader for his efforts in prevailing upon the Premier to give members of this Legislature this special opportunity to consider the Charlottetown accord. I feel that it's an important occasion. Many of us will have a chance to speak on this issue as a reflection that we have on the accord and a chance to express some of our views for the benefit of our constituents.

The process itself has been one of the most interesting ones that I have ever seen and certainly has raised a number of things that I feel have been very good for Canada and for Canadians. The fact that it's been an effort that's largely non-partisan is a credit to all the participants, that federal and provincial people who have been involved in these debates and discussions have had a bigger vision for Canada rather than their own parochial view which could well have sent them off on tangents of their own special nature. Though it's evident that some of the people within the debates have pressed their views, I feel that it has been largely a non-partisan event to the credit of all the premiers and the Prime Minister and those who were involved.

Within my own community we held a series of public meetings in which our mayor—it was Tony Roman, our mayor, who, by the way, is very ill in hospital and I hope, if he's watching this, he is improving and mending well;

he's been sick after surgery, but I look forward to seeing him back in office very soon—the federal member of Parliament, Bill Attewell, and I conducted a very, very successful series of sessions involving academics and spokespeople from a cross-section of different parts of the economy and from parts of Canada, including the Honourable Joe Clark, to talk about Canada and the whole debate that was in process in January and February of this year.

We had close to 2,000 people who attended these sessions and through those discussions it was obvious that there is a fresh feeling of tolerance and respect for one another and for our country. Out of it there were many, many positive statements of people standing up and saying how much they believe in this country and how much they love Canada.

How seldom we in this country have stood up on our feet and said, "I love this land." People come to it, and when they become new Canadians, they seem to be more proud of being Canadian than those of us who were born here and may be sixth or seventh generation. To the extent that we have started to be proud of something is, I think, a credit to all of us.

One of the good things that's come out of this process indeed has to be Joe Clark. I just want to go on the record as saying how much I respect his significant efforts in trying to pull this together as a statesman and as one who has had from the beginning the very best interests of Canada. I think he has fuelled a new national vision for our country and he has helped give us a fresh sense of nationalism.

That leads me to the final point. I think one of the good things that comes out of this process is a fresh sense of national identity. I hope all of us can find good things within this land that make us proud of being who we are and what we are and understand the good fortune we have and the opportunity we have as a country to go out into the world and make a contribution for peace, for the environment and for the goodwill of all people.

One of the concerns that is worrying me is the whole sense that people may opt out of this democratic process on October 26, of participating with an X, indicating their position on the accord. I'd like to just touch on some of the worries that are there. I hope people will not be side-tracked by the personalities of some of the people who have been expressing their own positions, whether it be Pierre Elliott Trudeau, whether it be our own Prime Minister or the Premier of this province.

The fact that some people are making statements they don't like really shouldn't be a matter that influences people on how they make a decision. Far better if they can set emotions aside and their likes and dislikes for people, and, if possible, deal in a detached, intelligent way with the facts that are on the table, with the issues that are there, and come forward with a sense of what they really believe rather than be prejudiced by the variances and personalities of people who are making statements. I think that really puts the onus on every one of us to go and study for ourselves the research and the data that are available.

I also suggest that we've got to be careful not to just take secondhand information and run with that. There are sufficient data available that we can sit down and study,

the original documents, the legal agreement which I now have. We can now have a legal text, if that's what you want to look at. But there is sufficient available if you call the 800 number that's presently available to obtain all the information that can help all Canadians understand just what is there and why they can make a decision.

Another concern I have is, don't be turned off by all this selling that's going on, some selling the Yes side, some selling the No side. It would be far better, instead of spending the money on just the promotional dogma, to lay out just some of the real, genuine reasons that are on their minds, stop the pressure tactics and let people make up their minds for themselves.

I guess one of the bottom lines I have is that this is one of the biggest decisions that we as Canadians have a chance to participate in. In making the decision, obtain all the facts, make a decision based on your best judgement. Do your own individual research. Talk with your friends and neighbours and base your decision on our future vision of our country. It's an opportunity that I hope Canadians will truly participate in so that when we make that decision at the advance polls or the polls on October 26, it's one that comes from the heart and the mind of every one of us who are making a fresh statement on our behalf and in the right that we have to make it.

When you think of that decision, I just hope we have a better turnout than we did in the last municipal election and in some of the previous elections we've had in this province, where we've had as low as 30% and maybe up to 50% or 60%. It's one of those issues where every Canadian should exercise his right of franchise.

2040

I have many problems with the agreement as it's been struck. If I were to concentrate on those reasons, I would probably vote No. I would probably hold back and say I'm not able to support the consensus that's been developed.

I point to the 25% guarantee to Quebec if in fact in the future it has less than 25% of the population; that worries me. I've looked at the Senate. My riding is larger than the province of Prince Edward Island. They will have six senators. Right now, they have four senators and four MPs. They have a large representation when a regional approach might have pleased me more, had we taken five regions across the country, rather than break it out with the six senators for Ontario and six for each other province.

The native self-government worries me. I'm satisfied with some of the explanations that have been given, certainly by Mr Harris and others. I just hope we don't have two Canadas within one Canada. I'm concerned about additional MPs. People keep on seeing the money that politicians spend and the cost to support and maintain us, but with the modern communications available to us, there isn't really the need to have more and more politicians in the mix.

The social charter worries me to some extent because if you're going to have a social charter, put some teeth in it. If it's not got any teeth, why have it at all?

A concern I have is that we've got a better trade agreement being struck between Canada, the US and Mexico, and we haven't done enough to break down the trade barriers

between Ontario and the other provinces or the other provinces and Ontario. Why can't we begin to resolve the economic issues that are of concern to our country? Since the economic concerns were not included in the whole equation, that again leaves me with some sense of dissatisfaction.

Yet in spite of those issues—and I've heard people talk and comment on those along with some of the agreements that were part of the Meech accord and they still don't like the distinctness of Quebec and some of the other agreements that were part and parcel of what we've now been led into—I still come out of it and say I'm going to vote Yes, partly for the reason that there really isn't much alternative if one loves Canada.

I don't think the people who are supporting the No option have given me an overwhelming sense of commitment to saying No to Canada. I'm voting Yes because, for once, we've have had 17 Canadians come together. For over 30 years, Canadians have failed and failed, again and again, six full rounds of constitutional talks since 1968. Those talks have just gone on and on and this is one of the few that has made progress. The last one that we had failed; the one before that, Quebec was left off the round. At last we have a chance, that since 1968 have the first ministers of our country come up with some kind of consensus.

Do you realize that since 1968, 526 days have been spent by all these ministers discussing the constitutional agreements? I don't think we can afford, as a country, to continue to concentrate on constitutional talks. We have a chance now to put this behind us and get on with the issues of running the country, making us a strong economic nation, getting education going, helping people discover the best things that are available to them, whether it be through knowledge or the new territories that can be explored in our own country. Get on with life. Stop concentrating to such a degree on the Constitution as the be all and end all.

So yes, I vote Yes. I vote Yes for a number of reasons, but I probably have fewer benefits within the Constitution than I really would like. I'm voting Yes because I love Canada. I see Canada as a country where there is a tolerance for one another and a caring that can somehow still make it all come together as one country, one nation from sea to sea.

I have two votes. I have one vote as a citizen in the province of Ontario, as a Canadian citizen, and in my riding, I will be voting Yes. When I come back into the Legislature, should it be brought to a vote here, I will vote according to the way my constituency has voted and I will be bound by how my own riding has reacted. So if my riding says No, I will bring that message in the vote that I will make here in this Legislature.

It is one of the biggest decisions we as Canadians can make and should make. I strongly hope every one of us will do everything we can to make this a strong and good country and that whatever the reason is, we have it based on some reason that satisfies our own curiosity, our own sense of purpose and our own sense of future vision for this country.

Mordecai Richler has written a book, *Oh Canada, Oh Quebec*, and his ending of the book says in part why he is supportive of this agreement. He wrote this before the

Charlottetown accord was presented. He talks at length in his book about the PQ and how much he doesn't like them, but he says in his last sentence, "If I consider the PQ an abomination, it's only because, should their policies prevail, everyone in Canada would be diminished. This is still a good neighbourhood, worth preserving so long as it remains intact."

I believe that's true of Canada. It is worth preserving as long as it remains intact. To that extent I will be voting Yes and I hope those out there tonight and across Canada who are thinking about this important debate and the Charlottetown accord will find their reasons and that they will make a clear and honest decision before October 26.

When it's over and done with we can look forward into the future and see a country that will continue to blossom and flourish and to be strong in every way. We will be a country that has a strong sense of human rights, where we have respect for everyone. The hyphenated Canadian will disappear and we will all be Canadians because we are part of this country. We will be part and parcel of a country that cares for one another, but also for the rest of the world, a country that has a purpose, to take the seas, take to trade and take to the world, and offer something that we have, a country that is a haven for goodness and goodwill, a country that is the best in the world.

How proud I am to be Canadian. How proud I am to fight for this country and represent a riding within this great country. How hopeful I am that after October 26 this country will continue to be strong and that its future will be great.

The Acting Speaker: Further debate?

Ms Margaret H. Harrington (Niagara Falls): I believe in progressive change in our society and that's the reason I'm here. I believe in the empowerment and the equality of women and everyone, and that is very important to me. If the Charlottetown accord jeopardized any of these values I would not support it. If the Charlottetown accord means saying Yes to Mr Mulroney I would not support it. It does not.

The accord is a creative, imaginative, generous agreement that will move this country forward. As Ed Broadbent said on CBC TV on Sunday night, we will have the best Constitution in the world. We will remain a federal state, involved in a natural maturing process. In 1867 Canada was formed by a coming together of English and French in a remarkable federation which has shown flexibility over the century, flexible enough that the best of our social and economic policies, such as medicare, have been able to evolve.

I would like to explain why this is not Mulroney's deal, but is everybody's deal. In February of 1991, I, along with many others, was appointed by Premier Rae to the select committee on Confederation and that week we flew to Kenora, the first week in February, to begin asking the people of Ontario, "What really matters to you about Canada?" That same week we went from Kenora to Dryden, to Sioux Lookout, to Thunder Bay and to Sault Ste Marie. We continued across Ontario, in seniors' centres, in

schools, in legions, in town halls, to hear what the real people of Ontario had to say.

What did we find? We found that people cared about giving native people an inherent right to self-government, respect after a century of paternalism and colonialism. Did you know, in fact, that under the Indian Act, native people now have lesser rights than we do and their culture has been suppressed?

2050

People cared also about a social charter stating how important social programs are to us, that being Canadian means a right to medical care, to education and social programs.

People cared also about stating clearly that all people have equal rights in Canada. Yes, women have certainly come a long way and this must be protected and expanded. This government is committed to ensure that major changes in attitude must continue.

People cared that the division of power between the federal and provincial levels be flexible enough to make services cost-effective. They didn't want duplication; they wanted modern, efficient government. And on that note they did wonder how, in this day and age, we still have a blatant, out-of-date, patronage Senate.

Many people also recognized Quebec as a distinct society; not better, but equal and distinctive. I'd like to ask Ontario: What if Ontario was the only English-speaking province in a French-speaking Canada? In a huge, French-speaking continent, how would we feel? Would we want to ensure our distinct society?

After listening to the people of Ontario, you may recall 130 representatives of very different interest groups came together last October 13, I believe, exactly a year ago at Hart House at the University of Toronto. These included representatives of natives, women's groups, the disabled, business, labour, every sector of Ontario. Our committee was hesitant. Could this experiment work? Could these people ever agree? After sitting down those two days and listening to each other, common principles emerged again. People did agree that reform must happen, and I thank Mr Dennis Drainville, the member for Victoria-Haliburton, for chairing that quite amazing weekend.

These principles formed the basis of last February's report from the committee to this Legislature and they were taken to the negotiations which started last March and continued through to August in Charlottetown.

Ontario's delegation, as I'm sure you have seen on television last night on The Journal, worked very hard over these five months to try to bring consensus. We got the right to self-government for native people; we got a social charter; we got equality rights for women and everyone; we got a division of powers that is more reasonable and cost-efficient; we got a reformed Senate; we got an opportunity to bring Quebec into the Constitution. Make no mistake: This was a long and difficult process of consensus-building and quite an astounding accomplishment.

Last Friday I walked down the main street in Niagara Falls, called Queen Street. I went into every business and I talked to the people out on the street. It was a beautiful sunny afternoon. There were a lot of people there and I

want to thank those people, because they were interested, they really were concerned: "How do I vote?" "Why do I vote?" They all had questions. Some were very passionate, some were hostile, but they all cared. Some said they were voting Yes because Yes means ending decades of constitutional wrangling. Some said they were voting Yes because it means good news for the economy. Some said they were voting No. But I'm voting Yes because I believe in a positive future and an inclusive Canada.

It's very easy to be negative; it is very, very easy. I would ask everyone to be positive about our future because after this long process that I've just explained, this opportunity may not come again.

The Acting Speaker: Further debate?

Mr John Sola (Mississauga East): At the kickoff to the Yes campaign in Mississauga on October 1, Tom Buckley, an American who chose Canada as his home and Mississauga as the base for his company, closed his speech with a quote from Shakespeare. I'd like to begin my remarks where Tom left off, using the same quote:

There is a tide in the affairs of men,
Which, taken at the flood,
leads on to fortune;
Omitted, all the voyage of their life
Is bound in shallows and in miseries.
On such a full sea are we now afloat,
And we must take the current when it serves,
or lose our ventures.

It would be wise to take Shakespeare's counsel, given 400 years ago, to solve the problems of Canada today. The tide in today's Canadian affair is the Constitution. The shallows and miseries are the single-interest groups who seem ready to scuttle the ship of state for their own narrow, selfish interests. Unless we catch the current, called changes to our Constitution, or the Charlottetown accord, we may lose our venture, Canada.

To paraphrase the following passage from the gospel, "What benefits a man if he should gain the whole world but lose his immortal soul?" What benefit will we get if we obtain all the changes we want but in the process lose what we are trying to improve—our country, Canada?

I don't want to be too melodramatic; I don't want to paint a doom and gloom scenario, but to quote from Tom Buckley's speech again: "The risks from a No vote are impossible to calculate. A Yes decision offers at least another opportunity to realize this nation's greatness." Since the risks of a No vote are incalculable, why gamble? Why take a chance?

Because I'm on record as having first opposed the Meech Lake accord and then reluctantly voted in favour, let me explain why I've changed my tune and support the Charlottetown accord. My opposition to Meech was based on two reasons: the right of veto to all provinces and the lack of definition for the "distinct society" clause. The veto is still there, but the definition of "distinct society" significantly improved, to include a French-speaking majority, a unique culture and a civil law tradition. As Clyde Wells says, "No one can dispute that for those reasons only, Quebec is distinctly different from any other province of Canada."

I would prefer if the definition of "distinct society" went further and was put in a Canadian historical context to prevent other cultures and language groups from feeling left out, but if it's good enough for Clyde Wells, the present definition is good enough for me. As for the veto power, I'll just have to live with it.

Regarding the Senate, my preference would be abolition. However, since a triple E Senate is as important to some provinces as "distinct society" is to Quebec, I think the solution reached is a good compromise, one which I can accept.

Criticism regarding the dilution of federal powers is examined in a Toronto Star editorial on October 9 under the heading "A Modest Shift in Federal Powers." Seven areas were examined: immigration, culture, forestry and mining, tourism and recreation, municipal and urban affairs and housing, regional development and telecommunications and job training.

One, regional development and telecommunications, remains exclusively federal domain. Two are somewhat controversial—job training and immigration—because some provinces want more input. The remaining four retain the status quo—provincial control, for the most part. The Charlottetown accord simply removes the overlap. It simply confirms the current state of affairs in these areas.

The conclusion reached in the editorial: "The package presents a reasonable compromise, with only a modest decentralization of powers."

The reaction of many groups to the accord and the response of members of these groups to their leadership stand, whether for or against, proves one thing: Canada is maturing, the groups are maturing and the communities are maturing. It proves that all groups and communities are comprised of individuals, that individuals tend to think for themselves even if they belong to a group, and that leaders, self-appointed or elected, don't necessarily reflect the views of their membership on every issue. This is borne out by the multitude of "NAC Doesn't Speak For Me" buttons, by the opposition to Ovide Mercredi among native groups, and by the disagreement with Pierre Trudeau's criticism of the accord by multicultural groups who have regarded him in the past as infallible.

2100

This brings me to the next point, a letter to the editor of the Toronto Star of October 8 by a 16-year-old girl named Meridith Willis, titled "Vote on My Future, Not on Your Pasts."

"As the referendum date approaches, I am getting very worried about what is going to happen to my Canada. That's what it is, my Canada now and for years to come. I want an opportunity to vote Yes to save my country, but I can't. I'm 16 years old. You see, I'm too young to vote. Oh, and of course I'm not educated enough to make a responsible choice.

"My 75-year-old grandfather can vote. He will vote No because many Quebecers refused to go to war. That shouldn't be forgotten, should it? Of course not; after all, it happened only 50 years ago. Let's talk about my 89-year-old grandmother. In her words, she doesn't care what the

outcome is. She's just mad at Bob Rae and is tired of hearing Quebecers complain, so she's voting No.

"Guess who else can vote: my English teacher. And the funny thing is, she's only been a Canadian for six months. I've been a Canadian citizen for 15½ years longer than she has and I can't vote.

"The people who can vote, old Canadians, new Canadians and angry or hurt Canadians, don't have as much riding on the outset of the referendum as I do.

"You must vote on my future, not on your pasts. Since I can't vote Yes to save Canada, maybe you can." Signed by Meridith Willis of Toronto.

Those are eloquent words which each of us should take to the voting booth on October 26.

To those who are sick and tired of our never-ending constitutional squabbles I will recite the following story told to a gathering in Toronto October 3 of the World Sikh Organization by a former president of the group, Gian Singh Sandhu.

Guru Nanak and his followers came to a village which did not welcome him. Despite harassment and hostility, he spent the night, and upon departing the next morning wished his unwilling hosts the following, "May you live in peace and never leave this village." He came to the next village which welcomed him and treated him like a king. As he departed the next morning, Guru Nanak left with this greeting, "May you have no peace here, may you leave your village and travel the world." His followers asked why the contradictory messages? Didn't he have them mixed up, the wrong message conveyed to the wrong village? Guru Nanak's reply: "My messages are correct. I want to contain the malice and ill will of the first village to keep it from spreading. The cheer and goodwill of the second village I want to spread worldwide."

Perhaps the good Lord wishes to use Canada in the manner of the second village, as a model to the world on how to discuss, if not solve, constitutional problems. Aren't our methods better than those practised in the former USSR and the former Yugoslavia? As to the complaints about the imperfection of the Charlottetown accord and the demand for a perfect agreement, I offer Lubor Zink's assessment in the Toronto Sun, October 12, titled, "Flaws Commend Charlottetown Accord." His reasoning is as follows:

"To be workable, constitutions cannot deal with perfect abstractions on sanitized paper but with far from perfect human behaviour in the far from sanitized real world. The only known exceptions are the constitutions of dictatorships. Drafted by propagandizing ideologues and imposed by fiat, they are, on paper, models of flawlessly noble idealism and rational consistency. In fact,...they are façades hiding from gullible outsiders a reign of bloody terror and horrendous crimes against humanity."

The Bolshevik power elite of Serbia, with its ethnic cleansing and concentration camps under the guise of some higher ideal, is the most current example, although Zink uses Stalin's 1936 model to illustrate his point.

So if perfection of document is not all-important in the real world, what is? I turn again to Tom Buckley. "A country exists more in spirit than in law, more in its sense of

goodwill than in written agreements. Only the intangible sense of wholeness can maintain the integrity of the state." Very eloquent but very true.

New concepts such as native self-government will take some experimentation and some getting used to. However, having seen a documentary about a similar concept in Arizona, if memory serves me right, I am sure the same questions and concerns will be answered as favourably in Canada.

As to the recriminations about the redistribution of seats in the House of Commons and Senate, this is nothing new. The Constitution Acts of 1886, 1915, 1974 and 1975 reallocated representation of the provinces and territories in the Commons or the Senate or, in some cases, both houses.

Je crois qu'il est très important d'essayer de parler en français quand il est question d'un sujet aussi sérieux que l'avenir du Canada. J'ai de la difficulté à croire que certains fédéralistes et séparatistes votent contre l'entente de Charlottetown. Est-ce possible que cet accord soit à la fois une «vente à rabais du Canada», selon l'opinion de Pierre Trudeau, et un abandon par Bourassa des intérêts du Québec, selon l'opinion de Wilhelmy-Tremblay ? Est-ce possible que Bourassa a été trop efficace au cours des négociations constitutionnelles, comme le suggère Trudeau, ou inefficace, comme on l'entend sur les bandes enregistrées de Wilhelmy-Tremblay ? Il est impossible de répondre oui à ces deux questions en même temps.

Je vais vous donner le résumé d'un discours prononcé par le docteur Desmond Morton, directeur du Collège Erindale de l'Université de Toronto, au lancement de la campagne pour le Oui à Mississauga, le 1^{er} octobre dernier :

«Comment devons-nous voter ? Est-ce que nous voulons en finir avec les problèmes constitutionnels du Canada ? La réponse est oui. Est-ce que nous, Canadiens et Canadiennes, pouvons montrer au monde entier comment nous nous accommodons aux différences entre les régions et entre les peuples ? La réponse est oui. Sommes-nous capables de persuader les gens d'investir au Canada, et ainsi, de mettre un terme à la récession ? La réponse est oui. Est-ce que cette entente est bonne pour le démocratie ? La réponse est oui. Est-ce que les Canadiens veulent être solidaires des peuples autochtones ? La réponse est oui. Est-ce que c'est le moment d'élaborer une constitution qui protégera les droits sociaux, économiques et juridiques ? La réponse est oui. Quand le Canada a besoin d'un Oui ferme, y a-t-il une autre réponse ? Aucune. La seule réponse est Oui.»

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Finally, I'd like to quote a letter of the day printed in the Toronto Sun, October 9, from a Jordan Grant of Toronto: "I am tired of hearing from all those who are saying either No to the constitutional deal or Yes they are prepared to 'hold their nose' and vote for a flawed agreement. Have these people no concept of the nature and history of this great nation?"

"Canada was founded by two distinct peoples and three different regions coming together in a spirit of mutual tolerance. The country has grown and matured in a wonderful mixture of diverse regions and cultures all living in remarkable harmony.

"When it comes to the Constitution, there are probably 26 million different opinions as to what would be the perfect governmental structure and balance of power. And as we know, these opinions are incredibly disparate.

"After an unprecedented exercise in public consultation and soul-searching, our politicians have come together in a spirit of reconciliation to attempt to find a balance that can satisfy people from all regions and all political persuasions throughout the country.

"The agreement that they have reached is not a flawed agreement, but a brilliant compromise in the best of Canadian tradition.

"They have somehow managed to balance the 'two nations' view of Quebecers, with the '10 equal provinces' view of westerners.

"They have figured out how to institutionalize an 'asymmetrical' distribution of powers without granting special status to any particular province. They have balanced the principle of representation by population with the less populated regions' need to have a sense that they have some say in the power structures of this country. They have finally recognized our native peoples and incorporated them into the nation.

"Yes, if it was up to me, my perfect Constitution would have been different than that arrived at. However, I realize I am only one of 26 million voices. I believe that given the diverse people and diverse views at the table, this agreement represents the best that could have been achieved, and that the best is good.

"Come on, Canadians, let's get off our butts and support this deal, not reluctantly, but with enthusiasm and vigour. It's time we stopped nitpicking and move on to more serious problems."

Signed, Jordan Grant.

An accord that can garner the support of labour and business, aboriginal groups and multicultural groups, the federal Liberals, Conservatives and NDP and their provincial counterparts and the federal and provincial leaders of these parties must have many positive aspects. Even its imperfection, to quote Zink's article again: "Far from being a reason for rejection is a commendation of its acceptability in democratic society. It refers to a set of attainable compromises."

Let's use general elections to settle our political differences. The referendum is about Canada.

In conclusion, remember the words of 16-year-old Meridith Willis when casting your ballot October 26: "Vote on my future, not on your pasts." Vote Yes.

Mr Gary Carr (Oakville South): I'm pleased to enter the debate this evening as well. I want to say that I hope what the vast majority of the people will do is to not listen to the politicians, not listen to the Prime Minister, not listen to the Premier, not listen to all the special interest groups, but indeed what I encourage all people to do is to get a copy of the consensus report on the Constitution.

The particular consensus report is what was agreed upon in Charlottetown. It's about 25 pages of very simple reading—as was alluded to earlier, there is also now the legal text—but this simple document, that can be picked at any MP's or MPP's office, will tell you exactly what is in

the deal. It won't tell you any of the spins of any of the special interest groups or any of the parties or any of the politicians. It will tell you exactly what is agreed upon. I say that after this vote is taken, we won't be able to blame the politicians any more. It will be the people who will have made the decision, and I encourage everyone to make an informed, thoughtful decision.

I've followed this constitutional debate since I first came to this House. One of the good things that will come as a result of the referendum is that I'll be able to clean out all the files I have. I've read the Allaire report, I've read the Ontario Constitution report. I actually was going to bring it up to show some of the members here tonight, but there was too much.

There is so much material that has been written about what we should do in the Constitution, about how we're going to operate, what this side started out with, what the west's position was, what Quebec's position was, and finally we've come to the consensus report.

In my opinion, as we stand here today, there is no better deal that can be made at this point in our history. There are some in the west who will want more, there are some in Quebec who will want more, there are some special interest groups that will want more, but this deal was fashioned upon compromise. I don't have time this evening to talk about the agreement that was reached with our original Constitution, but it is interesting that the word that kept coming back from Macdonald and from Brown was that the accord we signed in those days to set up this country was fashioned on compromise, and compromise is what this nation is all about. I ask people to read this deal, to take a look at it, not listen to all the spins that are out there, all the misinformation that's published. Read it yourself and make the decision for yourself. If you do that, I honestly, truly believe most people will support the deal and vote Yes.

I want to talk about what will happen afterwards. I don't believe, regardless of whether it's a Yes or a No, that this will end the Constitution debate. If it's a No, there's no doubt that the Parizeaus and the separatists will say, "See, we couldn't get Meech Lake, we couldn't get the Charlottetown accord, so we need to have a sovereignty vote to get what we want." People in the west, if there's a No vote, will still be upset and blame all their problems on central Canada: "If only we had a Senate that could shut the powers of central Canada down, this country would be better." That won't go away, but it also won't go away with the Yes vote. Make no mistake about it, there are about 30% of the people of Quebec, the sovereigntists, who will still be pushing regardless of what happens in this vote. I wish I could tell you that this was going to end the debate. I don't think it will. But I believe a No vote would be much worse.

Some say Quebec got too much power. Again I think what people should do is take a look at the document, read what the "distinct society" clause means. Page 1, there it is. It says, "Quebec constitutes within Canada a 'distinct society' which includes a French-speaking majority, a unique culture and a civil law tradition." That's the simple "distinct society" clause. I don't think anybody would

argue that they do speak French, that they have a unique culture and that they have a civil law tradition.

But when people say that Quebec gets too much power or that this province gets too much power, I think it's important to look on page 2, at the top: "Canadians confirm the principle of equality of the provinces, at the same time as recognizing their diverse characteristics." It's right there in the Canada clause that all provinces are equal. People talk about 25% of the seats that Quebec will get. Most people, as has been mentioned by some of the other speakers, don't realize that some of the smaller provinces are overrepresented right now. Indeed, there is a compromise in that area.

The original deal that was agreed to in July I would not have been able to support. It was ironic that only when the Premier of Quebec came in and said that he wanted to clarify some of the provisions with native rights, wanted to water down some of the provisions of the Senate and when he got more seats for the province of Quebec, that by virtue of its size Ontario got more seats, there became agreement that I think was a compromise. I could not live with a Senate that had equal powers that could defeat any bill, even though in our history when a lot of this debate came out and when Trudeau was the Prime Minister, I agreed on some issues with some of the people out west and would have loved to have had the power to defeat certain of the proposals. But I honestly, truly believe that we as a nation will only succeed if the will of the majority is there.

So there is a compromise. This Constitution is a framework of how we will operate. I am a little discouraged in that we spend so much time on how we're going to operate and we don't get to the real question of what's going to happen with the economy, with education and with health care. It's almost like being in a baseball game. The other team's up to bat, the Japanese are preceding the Americans and here we are, sitting in the dugout still trying to decide who's going to play first base and who's going to play second base and how we're going to operate.

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Many of the challenges we have don't lie in getting a constitutional deal; they come in how we're going to get the compromises we need to be able to compete, to have the education system we need, to have the health care system we need and to be able to make this the great country that it is.

I believe the majority of people, if they take a look at this deal, will be happy. There will be some like the Judy Rebicks and the Parizeaus who will never be happy with any deal. In my opinion, they are pushing their own special agenda.

What we have done in this particular deal is fashion a compromise that is truly Canadian. Canadians have succeeded because of compromise. We have been able to succeed and prosper as a nation because we have represented the views of the people from the smaller provinces as well as the ones from the larger provinces.

I say to the people who are out there, don't listen to the spins that are out there. Don't listen to the high-paid marketing people who say what you should be reading into a

document. Read the document yourself, understand it and take a look at it from your perspective. Take a look at the deal based on the perspective of all Canadians. I honestly, truly believe it will be a deal that most people in this country can support.

Some people have talked about some of the areas of concern. I briefly want to touch on them. Some are concerned about the social charter. As has been said before, I honestly, truly believe that if we have a healthy economy to be able to support the programs, we will have them. If we do not, as this government has found out, all the good intentions in the world won't matter if there isn't the money to pay for them. Indeed, if the will is there, we will have them.

Some are opposed because they are opposed to the politicians, but regardless of what happens the next day, each Premier will wake up as Premier. The Prime Minister will wake up as Prime Minister. We'll all be in our positions. Quite frankly, I don't believe you will punish any of the politicians by a vote either Yes or No. As we saw in this last election, there were a lot of people who wanted to punish the Liberals and David Peterson, and they did that, but in my estimation, they didn't look at what they were voting for in a lot of cases. Ultimately, it isn't the politicians whom you'll punish with this document; it will be the people who need to decide on this very critical issue. If they do what I believe should be done and take a look at the document, in my estimation they will be able to support the deal.

Having read the document, having looked at the negotiations that have taken place, having been involved in all the discussions right from day one—I was at the conference that was alluded to earlier where Ontario's position was laid out; we had a chance to speak to some of the natives; I had a chance to speak to some of the women's groups; I had a chance to speak to some of the groups who were out there pushing some of the ideas—I honestly, truly believe that this deal is a compromise that is truly Canadian.

I say to the people out there, when you're making your choice, don't do it because you want to punish any political party or any individual. Do it for yourself. Take a look at it, look at the compromises that have been made and do it based on what you believe is best for the country.

I am one of the ones who doesn't believe that politicians should use some of the scare techniques. It's the people's Constitution. I believe if they truly look at this deal and truly take a look at it from the perspective of what is best for Canada, indeed the people will make the right choice. Quite frankly, if there isn't compromise on the Constitution, we will never, ever have any of the compromises that are needed on some of the more critical questions facing us.

Think about what your vote will be. We are now in a period where it's very confusing. Take a look at the 25-page, simple document. Stand up and say what it means for you to be Canadian. Quite frankly—and let me close by saying this, because I know the member for Simcoe East wants to say a few words—this indeed might be the most important vote they ever make. I hope the people will reflect on that and make the correct choice.

I've had the opportunity, as I've said many times, of growing up in the greatest province and the greatest country in the world. I want to pass that legacy on to my children.

Don't do it because you believe in any politician or any ideas. Do it for the future of this country. Make your choice wisely. I honestly and truly believe that if we do that, not only will we have a nation that we'll be proud of but we will have a nation that will lead the rest of the world in many of the things we believe in.

Mr Dennis Drainville (Victoria-Haliburton): It gives me great pleasure to rise in the House today and speak about a subject which is certainly near and dear to my heart, as I served as Chair of the select committee on Ontario in Confederation. I must say I was much moved as we went through our many hearings and came face to face with people from across this province who had very strong and passionate concerns about the future of our country. How often indeed we heard stories of people's strong commitment to the continuation of this federation that we all believe in and love.

I want to say that it's important that we set this whole debate we presently have on the constitutional accord within the framework of the present negativity and cynicism which is so much part of our society. I think we have to acknowledge that, because not to see it in those terms would be, in a sense, to ignore the fact that we're trying to accomplish something very important, something very precious for our future within the context of a time and a place when there is a great deal of unrest, a great deal of, let us say, a lack of concern and commitment in the future of our country.

This cynicism and negativity, I believe—and you'll excuse me if I move slightly into the theological, as is my wont on occasion. People say we have social problems today, and we do; that we have political problems, and we do; that we have economic problems, and indeed we do. But with all those problems that we face as a people, there is no question in my own mind that the deeper and greater problem in this country is a spiritual problem, an inability to see the future and to hope for a time when Canadians working cooperatively, working for the common good, will be able to build a nation which we will all be proud of. It is this spiritual malaise which is at the core, I believe, of the strong No movement which we hear through this province and across the country.

I want to reflect a little bit on the history of this. You'll note that the political scientist Frank Underhill wrote in 1961:

"We have been building a Canadian nation for nearly two centuries. We were born old, born saying 'No.' French Canadians said 'No' to the French Revolution; United Empire Loyalists said 'No' to the American Revolution; our forebears said 'No' to Papineau and Mackenzie when they wanted to introduce some democracy. We say 'No' because so many ideas come from the south and if we say 'Yes' too often we might wake up and find we are not so different. We are always looking back to the past, which means we say 'No' to the future."

I think there is a sense in a Canada when we look at Frank Underhill's comment. We say no so easily in this country. If you look at the elections that we have—federal,

provincial and municipal—generally speaking we don't elect governments; we get rid of governments. We say no to them and get somebody else. It seems to be a Canadian way.

But I have to say that at this juncture and time we are asked as Canadians, as citizens of this province, to go beyond what we have been in the past. In a sense, we are challenged with a possibility of beginning a new, fresh start, a new vision of what tomorrow might bring if we work together as Canadian citizens. I believe that if we were to work together, if we were to dream the dream of what this country might become together, if we were to move together into the future, then we would be able to do what we need to do to build this country.

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I want to say, as I look through the Charlottetown accord and see the final text here, I've been through this many times and I've spoken to many people about the accord. One of the things that people have said about this accord is that the process was all wrong. We hear some criticism of the fact that there were so many men involved in the process.

As a New Democrat and as somebody who believes strongly in affirmative action, I've always believed we need to have more leaders who are women. But the fact and the reality is that the people of Canada have chosen the particular leaders they sent to be in congress together, to speak about the future and to try to plan for that future. To try to diminish the results of the process because of the gender of the people who were in the process I think is just not fair. The people of Canada of course have to take responsibility for who they select.

Also I have to say in terms of that process that there are those people who would say of our process that it was a process that was flawed because the people had no access. Let me speak a little bit about that. Not only is it false, not only is it misleading, but it gives no credit to the strong commitment of political leaders across this country who attempted to ensure that there was fair representation by the population in all the discussions around the Constitution.

I have to say, as I look back in history to the Victoria charter, as I look back at the patriation of the Constitution, as I look back at Meech Lake, they all failed, and they failed for one important reason. They failed in those days because people did not engage in the discussions and, by and large, they left the decisions and the discussions to those who had been elected.

But that is not the case with this agreement. Across this country there have been many, many different processes which involved the people of Canada, and people were not only able to enunciate their views, their hopes, their dreams about the future, but they were also able to make sure that governments were aware of their fears about that future, and there were fears expressed.

When we look at the Charlottetown accord, one question is raised to me: Who is diminished? I've got to say that as someone who has worked as an advocate for so many years for people on low incomes, people in need, people who needed the support of others in society, there is a sense in which I've always looked in the human rights sense at who is diminished in our society and who is

diminished in certain agreements and who is diminished by the working out of the institutions of the people of this country, so when I looked at this accord, I looked at it through those lenses. When I look in this accord, this Charlottetown accord, for who is diminished, the answer I come up with is that no one is diminished.

If I look at the institutions, we have taken the institutions and we have attempted, in a compromise position, to provide opportunities for Canadians to be represented in new and revitalized institutions. That is a positive thing, and surely something to be accepted by the people of this country.

As we look at the social charter, what we see in the social charter is again not a totally acceptable thing for those of us who are perhaps a little left of centre in our approach to social policy, but certainly a major breakthrough in the understanding that certain national and provincial programs are central to our identity as Canadians and need to be maintained and supported if we are to move into the future with any security for people, and so it is that no one is diminished by that.

We look at Quebec. We see and we know that in the political movings of the last decade, Quebec has found itself sometimes feeling out of step with the rest of Canada, feeling that its interests were not being recognized, feeling that it needed an opportunity to give its assent to the Constitution. So in this Charlottetown accord we have that accommodation, that reconciliation between Quebec and the rest of Canada. This is something that does not diminish anyone.

We see, particularly in the aboriginal rights area, an area where there have been people who have been for too long the recipients of handouts, of being ignored, people who have not been given the opportunities to use their talents in the furtherance of their community and the Canadian nation as a whole.

In this new section on aboriginal rights and the inherent right to self-government, we have, if you will, the seeds of future flowering of the native community, so much so that we have the possibility of establishing in this country, in Canada, our own country, the possibility that we will have once and for all an equality based on an understanding of the culture, the history, the tradition that native people bring into our culture, and thereby make our culture stronger. Who is diminished by this? No one, I say. So we look at the Charlottetown accord and we give assent to that accord because we know that no one is diminished; we are made stronger.

Stephen Leacock said, "It may be those who do most, dream most." I think that's true. The dream that I have and the dream that we share in this province at this point in time is the dream of an Ontario which will be made strong and prosperous, an Ontario that will resound on October 26 to the word "yes": yes to the future, yes to our history, but most of all yes to the possibilities that we have and will have if we work together and live together and believe in each other.

Mr Allan K. McLean (Simcoe East): I'm pleased to have some time to debate and to give my views and the views of many of my constituents on this very important day when we're talking about our national Constitution.

I have had the opportunity to listen to many people in the riding who have expressed their views and concerns with regard to the question. The question, very simply, has been well known, and the question is, do you agree with what the premiers and others had accomplished in the Charlottetown accord?

There are a lot of yeses and a lot of noes. The people who have been asking me questions have been looking for information. They've been looking for in-depth information other than what they have been hearing from politicians. There are many people who have been looking for the legal document, for its interpretation of what the agreement was and what the agreement had said. There are many people who brought to my attention the fact of the 25% of seats for the House of Commons as a guarantee for ever, unless the agreement is changed. That has been a great concern to many people who have talked to me.

The double vote in the Senate with regard to the francophones from Quebec who have that double vote has been raised. The issue with regard to the Supreme Court, where we have nine Supreme Court judges and three of them are from the province of Quebec, has been there for a long time. That is now being put in the Constitution, and people are asking the question about that. The interprovincial trade barriers were never really dealt with in depth with regard to this accord. We have trade barriers now that do not allow province-to-province work to take place.

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The people have the right to be informed, the people have the right to know and the people have the right to vote. I think in a democratic society that is the way it should be and that is the way it will be.

To quote Diane Francis: "The process we're all going through is a healthy one, although I do feel that the referendum should be multiple choice. That aside, it's causing all of us to analyse and debate." It causes some of us to argue. Some families are divided. Feelings are running high in some cases. "People change their minds daily or hourly, depending upon whom they last spoke with or listened to.

"Unfortunately, this is not just a little division among Canadians. The whole world is watching this time. And, in my opinion, there are only two acceptable outcomes to this referendum, in terms of what will be the least damaging economically. First choice is a whopping Yes outcome across the country without exception. Second choice is a resounding No across the country. A mixed result is a disaster.

"A Yes means stability, and unity.... A big, fat No by all Canadians means rejection of the deal itself, not rejection of this or that part of the country. A No should force politicians back to the drawing boards or out of office. The worst outcome is a partial No or a weak Yes. It will resolve nothing and lead to even more bickering.

"And that's awful to contemplate because, as boring as the Constitution is, we are all gripped by the decision we must make and want to cast our ballot once and for all."

The topic is very controversial.

"There is no point in trying to oversell any agreement," Manitoba Premier "Filmon told reporters after he returned from a two-week European trade mission.

"Reason and information, not rhetoric and threats, are the way to sell the proposal to the people."

Fred Cleverly: "Canada will not disappear if the accord is rejected, nor will the constitutional process be complete if it's accepted."

There are many interpretations of voting Yes and voting No. In *La Presse*, it says we must determine the cost of a No victory. The No slogan is "At this price it's No," but that can be turned around to read, "What will be the price of our No?"

There are a lot of concerns raised and there is a lot of background that people have to get so that they will make that decision which they feel is best for Canada. That decision is not easy. We now have people travelling the province on the Yes campaign, and I presume the No campaign is travelling as well, trying to get the main points across that they believe are the most important. When we have people like the Prime Minister—you can't sell a message to the public if the public doesn't trust the messenger. We have Mulroney and Rae now trying to sell this deal and they're very low in the polls, as most people realize. That is a concern. Don't think that it's not, because it is.

Geoffrey Stevens, in his article in the paper, indicated that very point: "but all mainstream politicians are held in low esteem. The fact that virtually the entire political establishment of Canada is promoting the accord has the effect, perversely, of reinforcing the public's suspicions....

"It is no longer possible, in the age of television and satellites, to sustain the sort of two-campaign strategy—one pitch to Quebec, a different pitch to the rest of Canada—that has been a mainstay of Canadian politics. The Great Wall of China has fallen to the TV cameras. Politicians who try to play on the fears of voters in Quebec while simultaneously encouraging the ambitions of voters elsewhere are going to get caught, every time.

"When, for example, Mulroney goes into Quebec to warn of the dire economic consequences of a No vote and theatrically tears up sheets of paper, his performance is beamed instantly across the land. Hackles rise throughout English Canada."

These are things that politicians are doing that are a concern to the voters.

"Intimidation doesn't work. Voters are too smart, and too wary, to believe politicians who tell them the sky will fall if they don't vote one way or the other. They need to be given positive reasons for voting for the accord....

"It takes enthusiastic salespeople to sell a political product these days. The Yes side has plenty of high-profile pitchmen, but because of the compromise nature of the Charlottetown accord, they don't always wax enthusiastic."

"New Democrat leader Audrey McLaughlin didn't help the cause when she admitted to students in Halifax that she'd rather be debating free trade or the Mulroney economic record than the Constitution. And Newfoundland Premier Clyde Wells didn't win any converts with this pitch in Vancouver: 'Even if you don't agree that it's perfect, consider whether it's the right thing to do under the circumstances for an interim period.'"

We have many politicians travelling this province saying that the Yes vote is the way to go. What I feel in my

heart, and what people are telling me, is that they want information. I believe now that the information is getting out there. I do hope that the people will have the ability, and I'm sure they will, to be able to absorb that information and be able, on the 26th, to vote according to their consciences.

With regard to the likes of Mulroney and Rae, the Bob MacDonald article in the paper certainly was interesting with regard to the voting. It even indicated in the wrapup that if they were out supporting the No side, some people would probably vote Yes, which would help the cause. That's a very interesting article in the Toronto Sun on October 11, just past, with regard to how people vote and how they consider the way they should vote.

When we look at this Charlottetown accord and we look at the native self-government clauses and how they have worked to try to make that part of it, I think when Bourassa came to the table, that helped the accord. That helped give the rights to the natives, when most of those people around that table agreed it was right and appropriate.

So how would you look at the accord with regard to the "distinct society"? I think most people would agree that should be there. I believe that in most people's minds the "distinct society" is right.

But the thing that bothers me—I am trying to come to terms with it—is the fact that the polls indicate to me that Quebec wants to vote No. When I look at the things that are in this Charlottetown accord, I believe it's better than what the Meech Lake accord was. I find it hard to believe they would not vote in support of the Charlottetown accord; I really do.

If the rest of Canada votes Yes and Quebec votes No, then where are we? We have said simply to Quebec, "We agree that you should have what's in this agreement, what's in this document." If Quebec says, "No, we're not satisfied with that; we want something else," what happens then? These are some of the questions that the public out there would like to know.

What is the answer if we have two provinces, Quebec and British Columbia, that say No and the rest of Canada says Yes? Is the accord going to be put in place? What is going to be the reaction from Quebec? Nobody really knows what that is.

The part of the vote with regard to a total Yes, I think, would be great, if everybody, all provinces, agreed to it. But if one province doesn't, then there is still going to be a problem.

Once this accord is accepted by the majority, every indication then is that the debate will start: How are we going to implement these?

2150

There is one thing that bothers me. We had a vote here not long ago that we would abolish the Senate. I think most people across this province, if they had a vote, would probably feel the same way. The problem I have with it now is that we have a Senate-elected Senate or a Senate elected by the province or the territories. Quebec has already indicated that it is going to have its Senate elected by the province. The Premier of this province has not come to me or come clean, in my estimation, and said, "In the

province of Ontario, we will have a Senate elected by the people." Or is he going to have a Senate elected by the government?

We're not getting answers to that, and I think that's where some of people's concern is. The people in British Columbia are indicating that they're not very happy with the 25% allotment enshrined in the Constitution, for Quebec to be guaranteed 25% of the seats in the House of Commons. The population of Quebec, I believe, is on the decline, and the province of British Columbia is on the incline. They are saying, "Why can't we have more seats in the House of Commons, the same as what Quebec is guaranteed?"

I want to go back briefly and talk about the interprovincial trade barriers we have in Canada. My understanding is that if some of the small provinces didn't want those changed, they wouldn't agree to them. I understand that the province of Quebec did not want to agree to them because at the present time the province of Quebec has people working in Ontario. There's no barrier for them coming to work in Ontario, but there's a barrier for the people in Ontario who want to go and work in Quebec, and that should not be. It should be a free trade, cross-border.

Not only that, but what we have in Canada is a bilingual country, but do we have a bilingual province in Quebec? That is what irritates some people with regard to the laws they have there. That is a concern and you can't dispute that, because that has been raised with me. It's been raised with me by students of the schools; not by Marchmount school, the school I was at last Friday, talking to the students about the provincial government and how the government works.

For sure, they had some questions about the Constitution. The first question they always ask is, "How are you going to vote in the Constitution?" which is a very good question. They don't beat around the bush to try to find out what the answer is. But I've indicated I have the same vote as everyone else in this democratic society. It's my job to make sure, as a leader in the community, that people have all the facts before them to make a decision based on the information they have. I think it's important that people get that.

I have observed, in my 29 years in politics, what people sometimes think of what you say and how it's interpreted. I think it's best for people to have the information and for people to make up their minds.

I have gone on for some length. I am pleased to have had the opportunity to talk about the Constitution. I didn't go into the social charter aspects of it. I touched briefly on native self-government. I touched briefly on Quebec and its distinct society. The people of this province are going to have a big job to do on October 26. It is important that this country stay together. I don't think there's one person who will vote No or Yes who wants Canada to separate; I don't think there is. I think a lot of people have their own mind on how they want to vote, and I don't know of anyone I've talked to who wants to see Quebec separate. They want to remain one Canada.

That then gives them the opportunity, with this accord, to make their decision as to whether they feel that Canada

will stay as one or whether they feel a No vote will give them the opportunity to separate. That decision will be on the minds of many people making up their mind on which way they will vote.

I think it's fair to say that come October 27 this House will be back in session again. The people who have worked on the election will be getting ready to cash their cheques, very likely some \$150 million worth, close to it. People will at that time wonder whether they made the right decision for Canada. I hope they do and I know every member who has spoken here this evening will hope they do.

I say it is the right of people to be informed, the right of people to know and the right of people to vote. When all is said and done, the Prime Minister of this country may

have second thoughts about whether he should have called this referendum. I hope Quebec will change its way as I see it now and vote Yes for a complete Canada.

The Deputy Speaker: The member for Oakwood. Oh, I'm sorry; there's no time left. There's time left for the Liberals.

Mrs Yvonne O'Neill (Ottawa-Rideau): Mr Speaker, I have one minute left this evening. I have several remarks to make and I would much prefer that I be given the opportunity to begin those tomorrow after routine proceedings.

The Deputy Speaker: It being close to 10 of the clock, this House stands adjourned until 1:30 of the clock tomorrow afternoon.

The House adjourned at 2158.

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of Ontario**

Second Session, 35th Parliament

**Assemblée législative
de l'Ontario**

Deuxième session, 35^e législature

**Official Report
of Debates
(Hansard)**

Wednesday 14 October 1992

**Journal
des débats
(Hansard)**

Mercredi 14 octobre 1992

Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 14 October 1992

The House met at 1334.
Prayers.

MEMBERS' STATEMENTS

DECENTRALIZATION OF GOVERNMENT OPERATIONS

Mr James J. Bradley (St Catharines): The people of St Catharines were delighted when former Premier David Peterson and former Minister of Government Services Chris Ward announced that the Ministry of Transportation would be moving to our city and providing 1,400 job opportunities for people in the Niagara region.

There was considerable apprehension in our community when the new NDP government, under considerable pressure from the top echelon of the Ontario Public Service Employees Union, appeared to be reluctant to fulfil this commitment to St Catharines, and a sigh of relief when after several months of public and private pressure from the city of St Catharines, the promotional task force and a wide variety of organizations and individuals, the government confirmed that it would follow the decentralization policy of the previous Liberal government and allow the move to take place.

With the St Catharines-Niagara area suffering the highest rate of unemployment in the province and with the potential loss of 3,000 jobs at General Motors over the next few years, the MTO move has taken on new importance to our city. That is why persistent rumours that the MTO relocation could be scaled down or delayed have caused some anxiety in our community.

I urge the government to avoid any delay in the MTO move and to ensure that all 1,400 jobs originally committed by Premier Peterson be provided to the people of St Catharines.

PROPERTY ASSESSMENT

Mr David Turnbull (York Mills): Metro's market value reassessment proposal is scheduled for implementation January 1, 1993. From a purely economic standpoint, that is bad timing for measures that significantly raise the property and business taxes on businesses, since most are reeling from the recession.

The impact on jobs and investment will be devastating. The ability of businesses to absorb tax increases of the magnitude proposed is simply not there. One business in my riding would see property taxes go from \$45,000 to almost \$200,000. What business could ever locate at this site and be able to pay that amount?

Market value reassessment is based on the artificially high year of 1988 and on the faulty logic that locating a small business in the central core gives it added revenue to pay for these high property taxes. This is simply not true. Some commercial tenants in Metro are presently paying more in property taxes than in annual net rent. Under market value reassessment stores will close, businesses will be

forced to move to the outer rim of the city, the tax base will shrink and our inner city will decay.

I call on the Premier to direct an immediate in-depth economic analysis of the effect this tax system would have on businesses in Metro before agreeing to pass enabling legislation. Market value reassessment will destroy this vital economic engine of Metro and Ontario. Common sense must prevail. Market value reassessment must be stopped.

ONTARIO FARMERS

Mr Randy R. Hope (Chatham-Kent): Today, I wish to inform the House about a meeting that I hosted on Friday, October 9, in the evening, dealing with a large group of farmers. The issue that kept coming before us was about stable funding. There were a few points the farmers in my community wished to express. They wished to make sure the members of the Legislature heard some of their viewpoints.

One of their viewpoints that was very close to a lot of them—the silent majority was there and also the three farm organizations were there as panel members with me—is that they wanted to express the need for rural Ontario to have a stronger voice in the Legislature here in the province of Ontario, and also with Ottawa, making sure they had a stronger voice against the policies that were implemented by Toronto for Toronto and did not necessarily deal with the issues of rural Ontario.

There is another area they wish me to express, and that expression comes from the issue of mandatory affiliation to the three farm organizations. A lot of the farmers had a belief that there was a democratic process in this province, and they wanted the right to vote on whether to associate with one of those farm organizations.

I think it's very important that the members of the Legislature understand this proposal being put forward by these farm organizations. Farmers in my area are asking for one thing and one thing only: They're asking for the democratic right to associate with one of these farm organizations, to make sure their voices are heard and also that the farm organizations be accountable to the farmers like unions are accountable to their membership.

1340

FRENCH-LANGUAGE EDUCATION

Mrs Elinor Caplan (Orillia): I recently had the opportunity to meet with a group of very concerned parents. The Canadian Parents for French is an organization representing approximately 200 parents whose children are currently enrolled in the French immersion program in the Muskoka school board.

The Canadian Parents for French is trying to keep their French immersion program operating for their children in Muskoka schools. Their fight is with those who think the Muskoka school board should terminate this program

which provides children an opportunity to be educated in both of Canada's official languages.

I rise in support of the Canadian Parents for French. French immersion programs are a vital enrichment to education in our province. We're presently involved in a debate concerning the future of our country. In order to facilitate future harmony, I believe French education programs must be provided where viable and requested.

The Muskoka school board hears that the cost of the program is too great in order to keep it operating. They cite examples of startup costs and transportation costs. However, Canadian Parents for French has gathered indisputable evidence which shows that with grants for startup costs and already available busing, it can prove the cost arguments are wrong. The program is viable, affordable and desirable.

At this time I ask for the support of all parties and all members of this House for Canadian Parents for French in its quest to keep French immersion programs and the French language thriving in Ontario.

GAMBLING

Mr David Tilson (Dufferin-Peel): My statement is directed to the Minister of Consumer and Commercial Relations. This past Tuesday, October 6, you, Madam Minister, announced that you would be moving ahead with a gambling casino somewhere in the Windsor area.

You're not sure where exactly in Windsor this casino will be or why. You have not undertaken any consultations with the Windsor municipal council on where you are going to put the casino or whether the province or the city of Windsor will pay for the escalating law enforcement.

You haven't a clue whether this casino will be run by private enterprise or by the NDP government. You have no idea about the job losses that will arise or whether there will be a revenue gain or loss. You have no plans for any gambling addiction treatment centres. You don't care about the 50,000 job losses to the horse racing industry. You won't comment about the financial losses to the various lotteries and charitable organizations around Ontario.

A member of your NDP caucus, the member for Victoria-Haliburton, has stated that you will be implementing gambling in Windsor by regulation and not by bill. There will be no opportunity to debate this tragic experiment in the Legislature nor will there be an opportunity for all these interest groups and the people of Ontario to provide their input.

Madam Minister, you promised us you would not bring forth gambling casinos in Ontario without a bill that allows full debate in the House and permits full consultation around Ontario. You have broken yet another promise. You have refused to conduct an extensive study on gambling. Instead, you are rolling the dice once again with the jobs and lives of the people of Ontario.

DURHAM REGIONAL POLICE FORCE

Mr Drummond White (Durham Centre): I rise today to offer appreciation to the men and women of the Durham Regional Police Force. Along with our local OPP detachment, they offer excellent service and protection for

our communities. Despite all the press the big city to the west of us attracts, the experience of the people of Durham is quite different.

October 17 is Durham Regional Police Appreciation Day, and we in Durham have a lot to appreciate in their dedicated service. They have been responsible for maintaining a quality of community life. Under Chief Trevor McCagerty and police association President Dale Allen's leadership, our force maintains a spirit of discipline and dedication to our community.

Last year at the height of the riots in Los Angeles, I met with people in the black community and asked them if they had any fears, and they said no, that when there were problems in Durham, the Durham Regional Police spoke to them first. They involved them in the solution of their problems.

Their task is not easy. The city of Oshawa has one of the highest unemployment rates in the country and also one of the highest crime rates, including violent crimes. It would be easy for the police force to resort to heavy-handed responses, to retreat behind concrete bunkers, but they face these difficult challenges with responsibility and maturity. They're excellent role models for the youth of our community. The Durham Regional Police Force demonstrated how we are different. Quietly and confidently, they are no doubt the best that police officers can be.

DISASTER RELIEF TO PAKISTAN

Mr Gregory S. Sorbara (York Centre): On September 8, it started to rain in Pakistan. The rain continued day and night for weeks. When it finally ended, over 4,000 people had perished from the flooding, 2,500 Pakistani villages were wiped out, some 900,000 acres of cotton crops had been destroyed and some 400,000 acres of grain crops lost. The loss to the Pakistani economy exceeded \$2 billion, almost the entire value of Pakistani exports to the rest of the world.

The devastation of these floods are without precedent in recent history. It is difficult for Canadians to grasp the full dimensions of this sort of natural disaster, let alone the actual ravages of this deluge. Thousands and thousands of Pakistani-born Canadians have had to bear the pain and suffering of these floods in their native land. They have lost friends and relatives, and friends and relatives have lost their futures.

These and other Canadians are rallying in whatever way they can to provide a measure of disaster relief to the people of Pakistan. Last Sunday night, for example, a benefit dinner was held at the Islamic Foundation in Scarborough. It was sponsored by the Abdul Sattar Edhi Charitable Foundation and other organizations, and it attracted over 200 people and raised some \$10,000. While it may not be a large sum when compared to the magnitude of the flooding, it does indicate a strong commitment, and it will help.

We commend these dedicated people for their time and their money to help rebuild the affected areas of Pakistan, and we encourage them to persevere. We also plead with other Canadians to join them in these important efforts.

WATER RATES

Mr Jim Wilson (Simcoe West): Recently I attended a public meeting where close to 200 people jammed the arena in Beeton to protest a staggering 180% increase to their water bills. The understandable wrath of village residents has been levelled at New Tecumseth council, when in fact the blame must be shouldered by the provincial Ministry of the Environment.

In February 1988, the village of Beeton and the Ministry of the Environment agreed on an estimate of \$700,000 to upgrade both the village's well capacity and the quality of its water. Seven months later the estimate had risen to \$2.5 million. In June 1990, the cost to upgrade the well rose to an alarming level of \$6 million, nearly nine times the original price. Just when residents of Beeton thought it was safe to talk about money and water in the same breath, along comes the MOE in January 1992 to state that the price of Beeton's new well had now increased to \$6.7 million.

Not only have my constituents been led down the financial garden path, but they were told that the well they would be getting would be a test model designed to combat the unique water situation in Beeton. Beeton residents are paying through the nose for the right to act as guinea pigs, yet five years after the problem was diagnosed, their water remains muddy.

I would like to quote Mr Gord Kinnon, who has led the fight to bring fairness to the water rates issue: "It is grossly unfair to saddle a small village like Beeton with such a debt."

Clean water is a necessity of life. The NDP must get its priorities straight and pay a larger portion of the cost of the McKelvey well. Monthly water rates in the amount of \$150 and up are not only obscene; they are immoral.

CONSTITUTIONAL REFORM

Mr Larry O'Connor (Durham-York): It's a pleasure for me to rise today to speak on the opportunity of the referendum that's coming up on the 26th. It's of course a very important issue to most of us, and you can see by my ribbons that I am voting Yes.

I believe it's an important opportunity for all levels of government, particularly the provincial level, we MPPs, to get around our ridings and talk to individuals. I've had an opportunity to get out and speak to quite a few, and I will in the coming weeks.

I had an opportunity to hand out copies of the consensus report at the Markham-Stouffville fair, and people were eager to take it. They wanted the information. They wanted to know what they're voting on. They were pleased to find out that that was the document the premiers had all signed. I think some of the work of the select legislative committee was based in here, and the social charter our Premier had brought forward; to make sure that was part of this consensus report is very important.

What people want is information, and we have to do that. We have opportunities when the House is not sitting to go to some schools. I plan on attending a couple of high schools, Brock High School and Sutton District High School. I think it's important that we give people information,

because information is what's going to make them vote Yes or No. If they receive the information they want, get that and review it, I'm sure they'll vote Yes, because it's something we all have to do.

1350

ORAL QUESTIONS

AUTOMOBILE INSURANCE

Mrs Lyn McLeod (Leader of the Opposition): My first question is to the Minister of Financial Institutions. Yesterday, the New Democratic government moved one step closer to ramming Bill 164 into law. The government claims this bill will benefit consumers, but it's clearly understood that these days consumers are mostly concerned about the premiums they have to pay. According to a report that was prepared for the government, the increased costs of this new bill could well mean higher premiums for consumers. The minister surely knows that in these tough economic times consumers can't take one more hit to their pocketbooks. I would ask the minister to tell us today what this bill is going to cost consumers.

Hon Brian A. Charlton (Minister of Financial Institutions): The Leader of the Opposition raises a question that has been raised for about a year now, since I introduced this legislation last December. The answer hasn't changed at all.

For the last two years, the auto insurance industry in this province, as a result of Bill 68, the Liberal legislation, has been making record profits which by anybody's standards are far beyond the adequacy required for that industry.

I have said repeatedly to the media in this province and in this House that it's my belief we can implement these changes, even though they do have additional costs attached to them, without any increase in premiums.

Mrs McLeod: It's very clear that the answers do change. In fact, they change with a rather bewildering degree of inconsistency.

It's quite right that back in December when the bill was originally introduced, the minister was adamant that the changes would be brought in without any price increase to consumers. He repeated that assertion a month ago, on September 11, but then about 12 days ago, in another one of the dramatic about-faces we've come to expect from this government, the minister admitted that consumers could well face increases in their auto insurance premiums as a result of the bill.

Minister, given your about-face on the issue of cost increases and potential premium increases, it is clear that you do not understand or are not willing to acknowledge the cost implications of the legislation you've put before this House. What are you actually telling consumers? Why will you not tell us what the full cost will be and exactly how you are going to handle those cost increases? Tell us with some degree of certainty, will there or will there not be premium increases as a result of this legislation?

Hon Mr Charlton: I guess I have to give a bit of a history lesson here in order to understand the context.

Interjections.

The Speaker: Order.

Hon Mr Charlton: Before the official opposition, as the Liberal government, implemented Bill 68, it did actuarial estimates of what the cost of that legislative change would be. That party, then the government, seriously over-estimated what the package would cost and allowed the industry, which was probably already well funded, to take an 8% increase it didn't require.

In any event, before the implementation of a plan, all anybody ever has are actuarial estimates of the cost. It is my belief—I repeat, my belief—based on the studies I have seen, that we can implement these changes without any premium increases.

Mrs McLeod: I would suggest that the minister might try and respond to the questions by dealing with his legislation, the legislation he's proposed, the legislation we're trying to deal with in this House today.

You could understand the confusion the minister's created in spite of his efforts to provide an answer through a history lesson, because this is the minister who said that there will be cost increases resulting from the bill but who will not tell us what the cost increases will be. This is the minister who says, if I'm quoting him correctly, that he will, after all, have to talk to the industry after it's over and get a sense of what the costs will be and what that might do to premium increases. It just seems to me that it makes sense to figure out what the legislation is going to do before you pass the legislation, rather than passing it and figuring out what it's going to do to people afterwards.

It is very hard to get a sense of what kind of commitments this minister is making in presenting this legislation. Is he or is he not saying that the cost increases in this bill will lead to increased premiums for consumers? Minister, if increased costs start to drive the premiums up, is it not true that you fully intend to simply freeze the premiums, and if that in fact is true, is this not simply your back-door way into public auto insurance?

Hon Mr Charlton: The government had an actuarial study done which happens to be the most comprehensive study of the costs of auto insurance in Ontario ever done by the government in this province. That study indicates cost increases, loss cost increases, as a result of the legislative package in Bill 164. Those costs were estimated to be in the 4.8% range, I believe. Our estimates of the costs in excess of adequacy that exist in the industry at the time we introduce this legislation allow us to believe and continue to believe that we can implement this package within an adequate framework for the industry without premium increases.

LABOUR LEGISLATION

Mrs Lyn McLeod (Leader of the Opposition): My second question will be to another minister who wants us to believe what the facts will be without doing any studies to justify them: the Minister of Labour.

Minister, you'll be well aware that last Friday's unemployment figures showed that in every province except Ontario the jobless picture is improving, yet your government continues to push ahead with wrongheaded policies, such as your proposals to reform the Labour Relations Act,

that will only cost more jobs and make those unemployment figures look even worse.

Minister, recently Ron Foxcroft, who owns a company in Hamilton and was named one of Canada's top entrepreneurs during the past decade, said that he moved his new plant to Buffalo rather than face Ontario's new labour law. Can you tell this House again why you continue to believe, in the face of evidence such as this and without any studies of your own, that Bill 40 won't cost Ontario jobs?

Hon Bob Mackenzie (Minister of Labour): I think the answer to that is pretty basic. It's simply that we have to—

Mrs Elinor Caplan (Oriole): You don't understand the impact; that's the problem.

The Speaker (Hon David Warner): Order.

Hon Mr Mackenzie: The answer to that is pretty basic. One of the things we have to do to meet rather changing and tough economic times today, not just in Canada or Ontario but in the world, is to come up with a better labour-management relationship. We have to start working together, and one of the ways we do that is with a much more level playing field.

Mrs McLeod: The previous minister wanted to talk about history. The minister I'm addressing now wants to talk about Canada and the world. I want him to talk about Ontario. I want this minister to talk about Bob Rae's Ontario, in which 547 people lose their jobs every working day; I want him to talk about Bob Rae's Ontario, where one plant closes every three days; I want him to talk about the fact that if we look at Canada, we see that things are getting better in provinces from Newfoundland to British Columbia, but in Bob Rae's Ontario things are getting worse.

1400

Let me give the minister one more example. Dare Foods, which wanted to build a new plant in Milton, Ontario, and which would have given much-needed jobs to that town, decided that it could not face Bill 40, and Dare has moved that plant to the United States.

Minister, how can we possibly believe you when you say that no jobs will be lost as a result of Bill 40? How can we possibly believe you when you won't do a job impact study and when you won't listen to what businesses are clearly telling you about what this bill is already doing to them?

Hon Mr Mackenzie: We don't have the OLRA amendments in place at this moment in the province of Ontario. It's pretty hard to blame any moves or any plant moves—

Interjections.

The Speaker: Final supplementary.

Mrs Caplan: The processes are damaging this province.

The Speaker: Order.

Mrs McLeod: Minister, once more, please face facts. Please take your head out of the sand. Please understand that across this country things are actually getting a little bit better, but in Ontario the economy is getting worse. The

problem, Minister, is here in Ontario, and a large part of the problem, Minister, is your labour laws.

Minister, in face of all of this evidence, these real examples of jobs that have already left the province because of what you are planning to do, won't you please agree to delay the passage of Bill 40 at least until you do a proper job impact study?

Hon Mr Mackenzie: The leader of the official opposition said she wanted to talk about Ontario and not the rest of the world. Ontario, however, is part of the world, and I hope she recognizes that.

Mr Chris Stockwell (Etobicoke West): We are all part of the world. Stop; hold page 1. Stop the presses.

Mr David Tilson (Dufferin-Peel): A brave new world.

Mrs Caplan: What planet are you on?

The Speaker: Order. Minister.

Hon Mr Mackenzie: I was asked a question, Mr Speaker. I thought they wanted an answer, but I'm not sure that they do.

There is nothing in the OLRA amendments that doesn't exist plus in most of western Europe, and they have done very well, thank you. So I don't know how you blame our economic situation on a series of amendments we have proposed that are not yet in place in Ontario.

SCHOOL BREAKFAST PROGRAM

Mr Michael D. Harris (Nipissing): My question is to the Minister of Education.

Minister, this morning my caucus and I launched and unveiled and released volume 2 of New Directions: A Blueprint for Learning in Ontario. We sent your ministry over an advance copy yesterday. If the minister doesn't have it, I'd be happy to send over my copy, which has all my little secret notes on; I'd be happy to share those with the minister. But he has his copy, and I appreciate that.

Mr Minister, one of the recommendations that we called for in New Directions would be very familiar to you. We called for the immediate establishment of a school nutrition program throughout Ontario. Minister, this is the eighth time that I have asked your government to show some leadership on this issue since you took power over two years ago, and still we see nothing. The last time I asked the Minister of Community and Social Services, she told me that she, the Minister of the Environment, the Minister of Agriculture and Food and yourself were all "cooperating." That was about six months ago. We've seen how far all this cooperating has gotten us, Mr Minister. I'm asking you today: When can we expect to see a nutrition program in our Ontario schools?

Hon Tony Silipo (Minister of Education): I do want to say to the leader of the third party that I have received a copy and I read it with great interest.

Specifically to his question—although my colleague the Minister of Community and Social Services has the lead responsibility for this, I will certainly answer his question, because I presume he may want to follow it up with some other questions dealing with some of the other points that are raised in his report—I would say to him that

we remain very much committed to proceeding with the nutrition program. We are looking at the different possibilities. There have been very recent discussions, both in cabinet and in some committees, that involve people from the different ministries, including my ministry and the Ministry of Community and Social Services and others. We expect a report to come back to cabinet very shortly and expect that my colleague and/or I and other ministers will be making announcements about directions of this program. It remains very much something that we want to do. We are looking at all the different possibilities of ways in which it could be put together, looking at the experiences of places where these programs already exist and trying to see what would be the most sensible way to proceed.

Mr Harris: "Very soon," "shortly," "announcement coming": It's the same answer I've heard eight times over a period of two years, and we still have no leadership from you or from your Premier on this issue.

In the Kitchener-Waterloo area, the May Court Club sponsors a snack program which provides nutritional food to over 200 kids every school day. It costs the taxpayers no money and it goes a long way in giving kids a better start to their day.

Minister, the program I've talked about we can get up and running tomorrow. It requires not one new bureaucrat, not one new civil servant; it requires not one cent of taxpayer dollars. It requires leadership and commitment from you and your Premier and your government. If there is a will and if there is a commitment for coordination on your part, it can start tomorrow.

Minister, it's not about money. It's not about inter-ministerial cooperation. Will you sit down with me today, with the Leader of the Opposition, with the leader of the Liberal Party, with the Minister of Community and Social Services, with the Premier or somebody with the Premier's office and with parents and teachers so that we can start this program, with our leadership, with no cost to the taxpayers, next Monday in all Ontario schools?

Hon Mr Silipo: I think the leader of the third party knows full well that you don't start a program like this in a couple of days, but I would be very happy to meet with him and to meet with any other members of the House who are interested in this issue. I'm sure that I speak for my colleagues on this side of the House in saying that this is quite frankly an issue on which we do want to work with people from all sides.

One of the things we have been doing is talking with school boards that have been delivering these programs to see the kinds of things they have been doing. We recognize fully in that that the programs can be delivered with, certainly, contributions from the private sector. We think that in order for the program to work effectively there needs to be some coordination, whether it's at the provincial level or at the local level, and those are the kinds of things we are looking at. We haven't simply been talking to ourselves. We've been talking to school boards that have this experience. We've been talking to the people who have been delivering these kinds of programs to see what the

best structure would be if we were going to move this initiative on a provincial level.

Mr Harris: Every time I ask this question, and I think it's perhaps typical, I hear: "We need a bureaucracy. We need a commission. We need to hire new people. We need to budget the dollars."

In Grey county the Red Cross coordinates a very successful nutrition program. It is funded by donations, not tax dollars. In fact, the schools and parents' groups raise money themselves. In two schools alone, approximately 85 students are given a nutritional boost during the day. The teachers' associations have all committed startup money and their help and their cooperation. In only two months the Red Cross group started and accomplished what your government has failed to come close to in two years.

Minister, let me ask you this question—and I'm asking you as Minister of Education because it is an educational issue; it is a great concern to educators that many children are not learning as they should learn because they're hungry: Why is it that your government is more interested in a bigger civil service, in how many more people you can hire to run a program, than you are in making sure that our kids get a healthy start to their day?

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Hon Mr Silipo: It's one thing to try to deal with this issue in as non-partisan a way as possible, but when the leader of the third party starts to throw around statements like "This government is more interested in a bigger civil service" when he knows full well that we've set a course that will reduce the size of the civil service over the next two years, I think he should put the facts before us if he wants to deal with this in a partisan way rather than in a non-partisan way.

As he well knows, there is nothing right now that prevents school boards and others that are interested in moving in this area from doing so. What we have been trying to do is see what kind of not just leadership but assistance we could be providing at the provincial level to deal with the best way of coordinating these programs. We know there are disagreements out there about whether we should be doing this at all, but we've said very clearly that we believe this is a direction we want to pursue.

What we are trying to do now is figure out the best way to do this. We may not be moving as quickly as all of us would like to be moving on this, but we are going to move on it and we will see results.

Mr Harris: You're not moving at all. You just can't accept that something will work unless you can spend taxpayers' dollars and hire more people to run it. That's the problem.

ONTARIO ENERGY CORP

Mr Michael D. Harris (Nipissing): My second question is to the Minister of Energy. Minister, according to your own government book on Agencies, Boards and Commissions for 1992-93, the Ontario Energy Corp, established to handle Ontario shares in Suncor, was scheduled to be phased out in 1992-93. That's what your book said.

However, this past spring, under direction from the NDP cabinet, the mandate of the Ontario Energy Corp was secretly changed and is now up and running to provide enhanced benefits to the aboriginal and northern people of Ontario in energy activities. Mr Doug Davison, former colleague of Marc Eliesen from Manitoba, is the general manager of this newly mandated corporation.

Minister, can you tell us what you know about the Ontario Energy Corp? Why was its mandate changed? Why was it necessary, other than to provide jobs for former colleagues of Mr Eliesen's, when we already have the Ministry of Energy with a branch dealing with natives, when Ontario Hydro has set out a whole new department to deal with natives and energy, when the natives secretariat already exists within the government, when the Ministry of Northern Development and Mines has a native section, when the Ontario Native Affairs Secretariat and the minister responsible for native affairs are all doing the same thing? Why was it necessary to change the mandate of the Ontario Energy Corp?

Hon Brian A. Charlton (Minister of Energy): The leader of the third party raises an interesting question and he puts it in an interesting way. It's unfortunate that the leader of the third party should have to stand in this House and say that we've done things in secret. The OEC sat with Lakehead University and negotiated an educational package that included a whole lot of public sector and private sector stakeholders to put together a very interesting add-on to the engineering program at Lakehead University. None of that was done in secret.

But to be more specific, the Ontario Energy Corp still has a portfolio to manage. The Treasurer and the government have made decisions around dealing with the Suncor portfolio. We've made some initial steps in that respect. The mandate change was a change that was in fact intended in the short run while we go through that management of a declining resource to utilize some of the income from that resource for beneficial purposes in Ontario.

Mr Harris: Given all the ministries that have jurisdiction in this area, including Ontario Hydro, I don't know how you can justify setting up this department.

I also have here expense statements for Mr Davison, for a Don McGregor, senior consultant at OEC, and a Mr Peter Ferris, a Winnipeg consultant.

According to these documents, Mr Davison was paid \$10,000 a year for expenses in the first six months of this year. Mr McGregor was reimbursed to the tune of \$13,000 for moving expenses from Bermuda, including \$200 to move his pet. Mr Ferris, as an out-of-province consultant, has submitted expenses in the neighbourhood of \$85,000 since your government took over.

Minister, how can you justify this duplication of effort and this abuse of tax dollars?

Hon Mr Charlton: First of all, the creation of an access program for a minority group is not a duplication of anything; it was the fulfilling of a need that was going unfulfilled.

Second, that need has been very warmly welcomed in the community of Thunder Bay, where in fact we announced it some months ago.

Last, all the questions the Leader of the Opposition has raised about the expenses are all expenses that in fact the board approves at the Ontario Energy Corp under Management Board guidelines and under the mandate of the OEC; not as a result of the change of the mandate, but under the mandate that was set by the Conservative government when the OEC was created.

Mr Harris: I know that this waste is small stuff and the minister likes to only focus on the big stuff. But these claims go on and on and on. Lunch meeting after lunch meeting is charged to the Ontario taxpayer. We have seen how this government has allowed Ontario Hydro to become a monster completely out of control. Now we find out the Ontario Energy Corp, which you and your government say in the 1992-93 book is to be wound down, is seemingly running its own extravaganza.

It appears the OEC has become a totally redundant make-work project for NDP pals, with the taxpayer footing the bill. You don't seem to have a clue what's going on in your ministry or in these agencies. I would ask you this: Do you have any idea how much this new mandate at the Ontario Energy Corp is costing Ontario taxpayers, and why was it the Ontario Energy Corp that was given a new mandate when you've got Ontario Hydro and all the other ministries doing the same thing?

Hon Mr Charlton: First of all, the leader of the third party hasn't listened to the first two answers I gave. This work that the Ontario Energy Corp is doing is not costing the taxpayers of this province anything. It's using moneys from an investment that many have criticized, that the Conservative government made some many years ago, to the benefit of Ontario residents, without having to tax them.

Interjections.

The Speaker (Hon David Warner): Order. The member for York Mills is out of order. Minister.

Hon Mr Charlton: The Ontario Energy Corp is in fact just putting money that would accrue to the people of Ontario to a use that the people of Ontario have applauded. The kind of access program that the Ontario Energy Corp has negotiated with Lakehead University and with a number of other private sector players in this province is an extremely important initiative that will, fortunately for the people of this province, when the Ontario Energy Corp is long part of the history of this province, go on as a useful memorial to the initiatives that corporation took on behalf of the aboriginal people of this province.

POLICE JOB ACTION

Mrs Lyn McLeod (Leader of the Opposition): My question is for the Solicitor General. The job action by Metropolitan Toronto police officers is now in its 10th day. The situation appears to be at a stalemate. The Solicitor General and the Premier cannot continue to pretend that they have no role to play in trying to bring about a resolution to this very serious matter. This government needs to

exercise some leadership. Somebody needs to take the first step.

Minister, the Metropolitan Toronto Police Association represents nearly one third of police officers across Ontario, and these officers clearly believe that you have failed to consult and to work with them on issues that affect the way they do their jobs.

Minister, why will your Premier not sit down with them now to listen to their concerns and take steps to resolve the impasse?

Hon Allan Pilkey (Solicitor General): As I had indicated in previous House responses, this government and my ministry, and I in particular, have met all along with the major police stakeholders and other representatives of the community in the development of these regulations. I have also indicated that I am ready, willing and able to meet with the appropriate representatives with respect to this issue, and I believe the Premier has stated publicly that when there is a cessation of this improper job action, he too is willing to meet with them, to hear any grievances or concerns that may be somewhat misguided with respect to this regulation.

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Mrs McLeod: Minister, we are very deeply concerned, as I'm sure you are, to see this kind of dissension spreading. It is clearly a very deepening rift between the government and the police. I simply feel that you cannot refuse to listen to the grievances simply because the grievances are coming from the police. Surely they deserve the same kind of hearing you would give to any other group. At the very least, the police in the province are looking for you to acknowledge that the police-government relationship has been severely strained and that there is an urgent need to open the lines of communication.

If your Premier refuses to meet with the police association to try and resolve this most immediate and urgent impasse, I ask you again what you will do to resolve the impasse now.

Hon Mr Pilkey: I'd like to answer the question on two fronts. One, unfortunately, is repetitive, but the question itself was repetitive. There has been no cessation of ongoing dialogue between police stakeholders and this government. I mean, it's a matter of record and it's the fact.

With regard to the question about the Premier meeting with the Metropolitan Toronto Police Association or other police officials, I'm sure, I'm positive that had such a request come prior to this job action, which is inappropriate and illegal, the Premier, as he has consulted with a wide variety of groups, would have been more than pleased to meet with these particular people, and is pleased to meet with them subject to this improper job action coming to a close.

I must say that this particular action is a matter that is within the purview and the responsibility of Chief McCormack and the police services board. I support the chief and the board in the actions they have taken to date in this improper work action and I believe that, given the opportunity, they will draw this matter to a conclusion.

LANDFILL

Mr W. Donald Cousens (Markham): I have a question for the recipient of the Ultimate Wasteland Award, the Honourless Ruthless Grier, Minister of the Environment, who is presented this award from the Friends of Vaughan CARES as an advocate of trashing people's rights, wasting the environment, dumping on social equity and lining the environment with garbage. This, if you didn't know, is the Minister of the Environment.

I want to ask the minister, as one who has been committed to denying a review of all options that deal with Metro's garbage and who, having stated that landfills are a safe, and probably the best, technology for getting rid of garbage, therefore has not considered any of the other options that are available, a question to protect the people of Peel, York and Durham: Are landfill sites safe?

Hon Ruth A. Grier (Minister of the Environment and Minister Responsible for the Greater Toronto Area): I think that's a very general question. Let me start by disavowing the preamble to the question and saying I'm not sure that wit is worthy of the member's usual standard, but I'll take it from whence it comes.

Let me say to him that there are many landfills that are not safe, landfills that were put in many years ago without the proper environmental assessment, without the proper engineering controls. What is essential is that in developing a new landfill there is a planning process that makes sure that the best possible site is chosen, that the site is then subject to the most stringent environmental examination, that the examination is subject to examination by an independent board and then that the engineering and the design and the technology of that landfill is the best that can be obtained. That is our intention with respect to the GTA. I am assured, and can assure him, that it will be as safe as a landfill can possibly be.

Mr Cousens: Madam Minister, the fact is that landfills are an environmental nightmare. The Environmental Research Foundation in Washington, DC, issued a report on landfills and why they fail. The report states that clay liners crack; chemicals like benzene eat through clay liners; plastic liners break down; mothballs, vinegar, alcohol, shoe polish, peppermint oil will all degrade a plastic liner; composite liners leak; leachate collection systems don't always work; if a pipe should plug, pressure will build up and blow holes in the bottom layer. This all adds up to a contamination of groundwater and the environment. Are you prepared to sacrifice the environmental safety of the people of York, Durham and Peel for what you believe?

Hon Mrs Grier: That's a very difficult question for me to answer. I hope the member by now knows that environmental safety is a primary consideration, not just for me but for this government, and that in our consideration of the very difficult decisions about what to do with waste, the environment and the protection of the environment comes first. That is why we have made waste reduction the primary component of our waste management policy.

The consequences that the member outlined, many of the chemicals that he has indicated have been found in

landfills in the United States, are precisely the kind of hazardous wastes that ought not to be going into a landfill. We intend to put in place and have put in place policies that will make sure that what goes into landfill today is quite different from what went into landfill in the past.

Let me address what I think is the underlying premise of the member's question, which is that it is better to incinerate waste than it is to landfill. If he is for a moment suggesting that the people in York, Durham and Peel are prepared to accept polluting, belching, expensive, counter-to-3Rs incinerators, I don't believe him, and certainly this government is not prepared to.

NON-UTILITY GENERATION

Mr Gary Wilson (Kingston and The Islands): My question is to the Minister of Energy. Minister, Kingston's public utilities commission is seeking to build a cogeneration plant that will burn natural gas to produce both electricity for the city of Kingston and heat for about 20 city institutions.

The public utilities commission cites several economic benefits to Kingston. Fixed-price contracts for natural gas will provide stable energy prices lower than what Hydro currently charges. Building the plant will create jobs at a time when work is badly needed. Lower energy costs will attract new businesses to Kingston and encourage ones already in the city to expand. In both cases, more jobs will be created. Lower energy costs will also lower the operating costs for institutions like Queen's University and local hospitals, thereby saving them money in tough economic times.

There are several environmental benefits to this cogeneration proposal as well. There will be better control of emissions through burning natural gas in a central facility using the latest technology. Natural gas is more environmentally friendly than coal and nuclear power, which supply much of Hydro's energy. The proposal includes the use of absorption coolers in the heating systems, which would allow the replacement of air-conditioning equipment that consumes chlorofluorocarbons, or CFCs.

Given these economic and environmental benefits, will you support the Kingston PUC's cogeneration proposal?

Hon Brian A. Charlton (Minister of Energy): I thank the member for Kingston and The Islands for the very important question that he's asked. It's not dissimilar to one that the member for Parry Sound asked me about last week.

The government in this province has an obligation to all of the electricity users in this province to ensure that they have a reliable and affordable source of electricity. Although some utilities, like the Kingston utility, have the capability of providing this kind of service, and perhaps even lower rates to their residents, the result for the rest of the province, especially in the circumstances we have today, with a surplus on the Hydro system, would be a rate increase.

We can't force the rest of the province, most specifically the small utilities and the remote areas of this province, to suffer and carry the load and subsidize communities around projects like this. Our best option for

the future is to maintain the public power pool and to get through the difficult times we're in together, so that we can move to create an energy electrical system in this province that's efficient and effective for Ontario's future.

1430

Mr Gary Wilson: Mr Minister, one of the concerns expressed about this project is that the less expensive energy costs will remove an important incentive to conserve energy. What can the minister do to ensure the continued conservation of energy should this project go forward?

Hon Mr Charlton: In the fall of 1990, very early into the mandate of this government, we made energy efficiency, conservation of energy, the government's top priority, and we have no intention of reducing that priority in any way, shape or form. Energy conservation defers the need for the kinds of very expensive supply options that have caused us the current problem, and supply options in Kingston or anywhere else are no more an answer to a supply option approach than they were in the past. Electrical energy efficiency and energy efficiency in general have to remain the top priority of the government. We intend to pursue that as the number one priority in terms of energy initiatives.

AMBULANCE SERVICES

Mr Hugh P. O'Neil (Quinte): My question is to the Minister of Health. Minister, on July 7 of this year, I raised in the Legislature the matter of cutbacks by your ministry in ambulance services. I specifically mentioned that as a cost saving measure, call-back crews were not being called in on duty when the first ambulance had left town on an emergency call. These new conditions mean that an ambulance responding to a life-threatening emergency like a car accident or a heart attack could take from 14 to 18 minutes to respond, rather than four to eight minutes.

Minister, this has created real concerns in not only my area but also in many other parts of the province. I have here today thousands of names on forms signed by constituents in my area who are very worried about this situation, and they also understand that you have received many petitions and letters from many other areas of the province. I also have full-page newspaper articles which have appeared in the Quinte area. I would like to send these over to you. Can you tell me, Minister, where this matter now stands and whether you have taken any steps to correct this problem?

Hon Frances Lankin (Minister of Health): The member raises an issue which many members of the Legislature have spoken to me about with respect to concerns about funding of ambulance services in their parts of the province. As the member knows, with respect to ambulance services that are run by private owner-operators as opposed to those services that are run directly by the Ministry of Health, those services out there received a 1% transfer payment. Within the Ministry of Health directly, our vote was not increased by 1%. We've had to deal with workload pressures internally, juggling within the ministry's budget lines.

I think the pressures that are on operators out there are very real; I don't deny that at all. What I do need to say is that within the fiscal climate, the 1% transfer payment is the only money we have available. There is no more I can do with respect to transferring more money. What we can do, and what we have done successfully in a number of communities, is sit down with the owner-operators, with the unions and with the Ministry of Health emergency health services branch, and actually look at the plans they have and see if there are ways of implementing plans that help protect front-line services but meet the fiscal agenda as well.

Mr O'Neil: Minister, we did speak with your emergency health services branch. Like you, they said that in their view no emergency calls will be affected by this 1% budget.

Let me relate one case that just happened in the riding of Quinte. A Quinte resident who had a heart valve transplant operation in Kingston developed complications one week after the operation. She was rushed to the Belleville hospital emergency. The Belleville cardiologist discovered fluid around the heart. The Belleville doctor immediately called Kingston hospital and the surgeon who did the original operation. The Kingston surgeon said he would operate immediately on her if they would rush her to Kingston. This is at 1 pm in the afternoon.

An ambulance was called. The ambulance did not arrive until 4 pm at the Belleville General Hospital. When the ambulance did arrive, this patient had to share the ambulance with another patient going to Kingston. She was rushed to Kingston and she was operated on at 6 pm. Minister, can you tell me how you will move to protect patients like this one, who risked more serious complications and possibly death from a delayed ambulance response time?

We've also heard that you sat down with the people in the Sudbury area and that you've given them a large amount of money so they would have a backup ambulance. I'd like your comment. This is a very serious incident and I'm afraid that a lot more are going to happen if we don't get some sort of answers.

Hon Ms Lankin: If I could start with the first part of the member's question with respect to the actual case that he brought forward, I'd be pleased to look into the details and share those with him with respect to the case.

I can almost guarantee him, just based on the fact situation he laid out, that this was a situation where in fact the code that went in, the call that went in, was not an emergency call. It would certainly not have been that kind of time. It sounds like it was handled as a routine transfer. I don't think that has anything to do with respect to the number of services there; it has to do with how it is coded when it is called in. We'll check on that and we'll let you know, but I think that the fact situation actually doesn't support the case he is making with respect to the impact of the 1%.

The offer that I make for any part of the province to have someone come in and sit down and try and work through the problems is an offer that stands, and that's

exactly what happened in the Sudbury area. I would like the member to be very clear about what happened in Sudbury. As the owner-operator had the books reviewed by the Ministry of Health, we found out that this person who had taken over the operations fairly recently had not even filled out the budget papers correctly, that there were a number of things that were to be filed and claimed for that weren't and that there was \$80,000 owing to that operation in terms of that budget. The full amount of money that was as a deficit was much more significant than that and there's still some deficit remaining.

But in each of those situations we'll try and work out the problem. I want the member to be very clear that in no situation have we forked over additional moneys, as he has suggested, above the 1%. I'm sorry, but that's all the money there is.

AUTOMOBILE INSURANCE

Mr David Tilson (Dufferin-Peel): My question is for the Minister of Financial Institutions. We've now concluded the second reading debate on Bill 164, of course, which is your plan to completely botch up the auto insurance business, and you have indeed made a mess of it.

My question is a question I have asked before and which the leader of the official opposition has asked and on which statements were made in this House during debate. All those questions have continued to remain unanswered. That question has to do with insurance premiums. Both your own studies, the Mercer studies, say that rates are going to go up. The Insurance Bureau of Canada says that rates are going to go up.

You originally made a promise in this House and outside this House that rates were not just going to stay the same, that they were going to go down. I'm going to ask you again, how do you intend to live up to your promise to reduce auto insurance rates?

Hon Brian A. Charlton (Minister of Financial Institutions): I don't know how many times I have to address this question and answer it. Clearly, first of all, the Mercer study does not say—so the member should be correct when he raises issues in the House—that premiums will go up. The Mercer study clearly says that this package I've introduced has costs that the Liberal package doesn't have. The Mercer study also says that the Liberal product was severely overpriced; there's too much money in the system.

Premiums have already gone down in this province by an average of over 4% and I have said that I believe, based on all the studies I've seen, the study which the Leader of the Opposition says we didn't do, there will be no premium increases resulting from the implementation of this package.

Mr Tilson: It's the same old answer, the same old tired answer that you gave the Leader of the Opposition, the same old answer that you have given me.

Hon Floyd Laughren (Deputy Premier, Treasurer and Minister of Economics): Why don't you come up with a new question?

Mr Tilson: Well, you could say, "Come up with a new question." The fact is that he's not answering it because all

of his studies, his own studies, which are very few, I might add, and all of the studies of the Insurance Bureau of Canada say that rates are going to go up.

My question to you is, do you plan to unilaterally control these rates through cabinet control of the regulations? How are you going to do that, because the fact of the matter is that your benefits are uncapped. Many of your benefits are uncapped. They're going to go up. Who's going to pay for these things?

Hon Mr Charlton: I repeat part of an answer that I gave to the Leader of the Opposition earlier. The Mercer study is the most comprehensive study of auto insurance costs ever done in the province of Ontario by anyone.

Mr Chris Stockwell (Etobicoke West): What did it say about rates?

Mr Tilson: You should start all over. Your own study said that.

The Speaker (Hon David Warner): Order.

Hon Mr Charlton: I maintain the answer that I have given a number of times. I believe that the implementation of this package will not require any premium increases. I don't believe, therefore, that there's any need to even consider the rest of the question the member put.

1440

RURAL ONTARIO

Mr Paul R. Johnson (Prince Edward-Lennox-South Hastings): My question is to the Minister of Agriculture and Food. The people of my constituency live in rural areas. They may not necessarily be involved in farming, but these areas have traditionally relied on economies that have had their basis in agriculture, even though now only 2.2% of Ontario's families live on farms.

The rural communities in Prince Edward-Lennox-South Hastings, like the towns of Picton and Napanee, have been hurt by the fact that their main street business areas have lost the businesses that support neighbourhood activities. These areas, like the rest of the province, have been very hard hit by the recession. Can the minister tell me whether the Ministry of Agriculture and Food has looked at the problem of revitalizing our rural communities and whether the ministry has taken any steps to attempt to provide equity between city and country?

Hon Elmer Buchanan (Minister of Agriculture and Food): I appreciate the member's question. He quite rightly identifies that rural communities which have been dependent on agriculture for a number of years, and in fact grew up to support the agricultural industry, are now suffering some economic difficulties.

In the Ministry of Agriculture and Food, we do have a program, called Ten Steps to Community Action, which attempts to provide leadership for people from local communities for training to develop initiatives locally so that they can come up with economic resources and activities to support themselves and develop action-oriented solutions to provide employment in the local communities.

We have been very supportive of that program; it's very popular. It was 10 programs for last year and seven so far this year, and we expect to have many more applications for us

to support that program, which is called Ten Steps to Community Action.

Mr Johnson: This is without a doubt a good program, but I was wondering if the minister could tell us about other projects that might be undertaken across the province that address these very real rural economic development problems.

Hon Mr Buchanan: We have initiated some discussions with other ministries such as Municipal Affairs and the Ministry of Industry, Trade and Technology. We have been talking about community economic development and how we might support local communities to provide community economic development.

I would remind the member that we already have done something very recently: we've supported the horse industry and the racetrack business. Some \$10 million was provided over four years to support the horsemen. Assistance is going to be provided to racetracks across the province, which is going to help the small entrepreneur who is involved in the horse racing industry.

INVESTIGATION INTO RELEASE OF DOCUMENTS

Mr Gerry Phillips (Scarborough-Agincourt): My question is to the Deputy Premier, and it has to do with the police and the role of the police in our society. The Treasurer will know that it's a matter that we've been on for a year now.

It was almost exactly a year ago that the opposition received from some whistle-blower in the public sector a copy of a rather innocuous document from Treasury. That happened on October 2. On October 15, at 11:30 am, our interim leader, the member for Bruce, was visited by two OPP anti-racket squad investigators, interrogating him about how we received this information.

We continue to pursue this, Treasurer, because we've never had an answer from the government. I would say to you, Treasurer, now that you've had a chance to look back on that episode, do you feel that the use of the OPP was an appropriate use of our provincial police force in investigating the opposition?

Hon Floyd Laughren (Deputy Premier, Treasurer and Minister of Economics): If I can cast my mind back to that point in history, it seems to me that came about as a result of a security leak of a confidential document. What I and others in government were concerned about was that with the budget coming up in the next following couple of months after that event, something might happen that somebody truly could benefit from if a leak occurred.

I remember thinking at the time that if we didn't plug these kind of leaks, the member for Scarborough-Agincourt would be on his feet telling us we should have taken action earlier in order to put into place some preventive measures so that somebody wouldn't gain from a confidential leak.

Finally, we did not direct the OPP to go and talk to the member for Bruce. The OPP decided whom they would talk to as a result of the investigation. We didn't decide that.

Mr Phillips: I'm sorry to hear that answer, because I honestly thought the Treasurer would say, "It is wrong to call the police in to go after the opposition on a document like that."

Treasurer, I listened carefully to your comments yesterday and I agreed with much of what you said. You said, "When I think about the police force, which is paid to enforce the laws, engaging in this type of action, I worry a great deal about it, because I think it runs counter to everything that we in a democratic society believe in."

I would say as strongly as I can that I think it's wrong for the government to call in the police to silence the opposition. I will say to the House leader that that's exactly what happens. We are going to continue to pursue this until we have an answer from the government.

Next week the standing committee on administration of justice will call as witnesses you, Treasurer, the Minister of the Environment and the Solicitor General to get at this matter. It's that important to us, believe me.

I want to ask the Treasurer, or I should say the Deputy Premier, will you agree to come to that committee next week and give the committee the guidelines the government intends to use when it will instruct the police when and when not to go after the opposition?

Hon Mr Laughren: That is the first time I've heard the member for Scarborough-Agincourt ask a ridiculous question in the many days that he's asked me questions in this assembly.

Interjections.

The Speaker (Hon David Warner): Order.

Interjections.

Mr Robert Chiarelli (Ottawa West): It just shows you guys don't know how to deal with the police in any way.

The Speaker: The member for Ottawa West.

Hon Mr Laughren: I didn't mean to upset the opposition so much, but here we have a year-old question that's been answered on numerous occasions, and the member for Scarborough-Agincourt has never indicated to this House that he believes there shouldn't be security in Treasury around confidential documents at budget time.

Secondly, at no point—and the member for Scarborough-Agincourt knows this, so I'm very surprised at his continuing to put the question the way he does—did the government or anyone in government direct the OPP to interview anybody, to conduct an investigation. He knows full well that no instructions were given to the OPP to investigate or talk to members of the opposition. That is a completely unfair and unfounded accusation, and the member for Scarborough-Agincourt knows it, which is why I referred to it as a ridiculous question, and that accusation stands.

1450

AGRICULTURE PROGRAMS

Mr Noble Villeneuve (S-D-G & East Grenville): I have a question for the Minister of Agriculture and Food. I'm sorry I won't have the opportunity for a supplementary, so I'll have to do it all in one.

The red meat producers, Mr Minister, are very disappointed and dismayed at you cutting \$7.5 million of very needed net income. They anticipated that this program would go on till 1994. They have now been cut off this year: \$7.5 million of income. Mr Minister, I know arrangements have been made between the Cattlemen's Association and the ministry, but they will still be short a great deal of money: \$7.5 million which has been cut off.

What other tinkering will you be doing within your ministry? Do you intend to reduce the farm tax rebate? Do you intend to license farm equipment, to charge farmers for licensing farm equipment? What other cutbacks do you and your government intend to make to the hard-hit, strapped agricultural industry?

Hon Elmer Buchanan (Minister of Agriculture and Food): I have no immediate plans to cut any specific programs at this point in time, but because of the current situation it is necessary for us to look at restraint in our spending habits. I will be looking at programs right across the board where we can in fact achieve some restraints and cutbacks in terms of our spending. We have to, in order to have a balanced budget.

However, that will not be done in isolation. We will be consulting with farm leaders and farm groups, and we will try to share the burden of that responsibility for those cutbacks with the farm leaders. I hope they will have some options to put before me that they will find acceptable.

Obviously, the cutbacks in the red meat program is something I did not want to do, but we had to in order to achieve necessary savings. I realize it was a very popular program and had a major impact on red meat producers, but these are things we must do to achieve our fiscal targets. I hope to be able to talk to all of our constituents in the farm community before we make any future cuts in very important programs.

The Speaker: The time for oral questions has expired. Motions? Petitions?

PETITIONS

MUNICIPAL BOUNDARIES

Mr Ron Eddy (Brant-Haldimand): I have a petition to the Legislature of Ontario:

"That the Legislature of Ontario reject the arbitrator's report for the greater London area in its entirety, condemn the arbitration process to resolve municipal boundary issues as being patently an undemocratic process and reject the recommendation of a massive annexation of land by the city of London."

It is signed by 32 residents of Middlesex county, and I've affixed my signature.

RETAIL STORE HOURS

Mr Randy R. Hope (Chatham-Kent): I have a petition here in strong opposition to the amendments to the Retail Business Holidays Act. It's people from the Amherstburg and Harrow area who wish to forward this petition, and I affix my signature to it.

Mr Hans Daigeler (Nepean): I have a petition signed by some 56 members of my riding and of the Ottawa-Carleton area, and it reads as follows:

"We, the undersigned, hereby register our opposition to wide-open Sunday business.

"We believe in the need of keeping Sunday as a holiday for family time, quality of life and religious freedom. The elimination of such a day will be detrimental to the fabric of society in Ontario and cause increased hardship on retailers, retail employees and their families.

"The proposed amendment of the Retail Business Holidays Act of Bill 38, dated June 3, 1992, to delete all Sundays except Easter from the definition of 'legal holiday' and reclassify them as working days should be defeated."

I've signed this petition.

Mr Pat Hayes (Essex-Kent): I have a petition signed by several people in my riding from the towns of Ridgetown, Merlin, Blenheim, Morpeth, Thamesville and many other areas. It reads:

"I, the undersigned, hereby register my opposition in the strongest of terms to the proposed amendment of the Retail Business Holidays Act.

"I believe in the need of keeping Sunday as a holiday for quality of life, religious freedom and for family time. The elimination of such a day will be detrimental to the fabric of society in Ontario and cause increased hardship in many families.

"The amendment included in Bill 38, dated June 3, 1992, to delete all Sundays except Easter from the definition of 'legal holiday' and reclassify them as working days should be defeated."

I attach my signature to the petition.

Mr Len Wood (Cochrane North): I have a petition signed by about 50 constituents from my riding, from Kapuskasing and Cochrane. They are opposed to the amendment to the Retail Business Holidays Act, Bill 38, dated June 3, 1992.

I have affixed my name to the petition.

MUNICIPAL BOUNDARIES

Mrs Irene Mathysen (Middlesex): I have a petition signed by 56 residents of Middlesex, including people from London, Westminster and Strathroy, who petition the government of Ontario "to set aside the arbitrator's report in regard to the greater London arbitration because it does not reflect the expressed wishes of the majority, it allows too extensive an area of land to be annexed to the city of London and will jeopardize the viability of Middlesex county and our rural way of life."

I have signed my name to this petition.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Mr Runciman from the standing committee on government agencies presented the committee's 15th report and moved its adoption.

The Deputy Speaker (Mr Gilles E. Morin): Pursuant to standing order 106(g)(11), the report is deemed to be adopted by the House.

ORDERS OF THE DAY

CONSTITUTIONAL AGREEMENT ENTENTE CONSTITUTIONNELLE

Resuming the adjourned debate on government notice of motion number 16 on consideration of the Charlottetown accord.

Mrs Yvonne O'Neill (Ottawa-Rideau): May I begin by quoting a man for whom I have the greatest admiration and respect, the former president of Czechoslovakia, Václav Havel, a man I had the distinct honour to meet when he visited Ontario in February 1990. He expresses an ideal upon which each of us can ponder as we make our way towards October 26. He says:

"I'm not concerned about myself nor about how to spare myself any trouble. Rather, I want for us only to be able to live, if possible, in an orderly state"—

The Deputy Speaker (Mr Gilles E. Morin): Order. Would you please lower your conversations.

Mrs O'Neill: If I may just repeat the sentence:

"Rather, I want for us only to be able to live, if possible, in an orderly state that knows why it exists, which serves its citizens, respects all of their rights and cares for their wellbeing. In an atmosphere of decency, creative spirit and tolerance, we shall be able to bear far more easily the trials we yet have to experience."

It is this decency, this tolerance, of which Mr Havel speaks that I want to emphasize in this ongoing debate. The question each must ask is: Do we wish to walk through the 1990s with an accord, a consensus, an agreement, an understanding, reached after much effort, much participation, much baring of souls by Canadians from coast to coast? Can we find within ourselves the creative generosity to build a country? Can you and I find within ourselves the courage, the decency and the will we will need? Let us look into our hearts, the seat of our generosity.

The agreement reached in Charlottetown is the culmination of an incredible amount of work. Canadians everywhere have been given an opportunity to make their views known, and it has indeed been uplifting to see how many of them from all walks of life and from every corner of this great country have given their individual time and talents to this national effort.

1500

This year, 1992, has been a year of many, many meetings among the federal government, the provinces, the territories and the aboriginal leaders. I had the privilege, as part of the Ontario delegation, of attending four of these multilateral meetings. In my opinion, every leader came to the table with a great deal of preparation and support, gained from both their legislative assemblies and the people and territories and communities they represented. From my perspective, when the political leaders of the federal government, the provinces, territories and aboriginal communities met at the constitutional table, they brought with them the voices of the people they represent. Each leader

had engaged in an extensive process of gathering the views of his or her population. Those individual views contributed to the mosaic of opinions and interests which were advocated by the participants at the multilateral and finally at the first ministers' conferences, and it was from this mosaic that an agreement has sprung. Upon this agreement we, the Canadian people, can rebuild a reformed constitution.

I remind, and I think it is important to remember, that the Constitution is much more than a document. Her Majesty Queen Elizabeth said in her speech in Ottawa on Canada Day this year, 1992, "The real Constitution is not cast immutably on the printed page but lives in the hearts of Canadian people." Let me repeat, "lives in the hearts of Canadian people." Let us bear these words and the truth they represent very much in mind as each of us individually faces the challenge of making our personal decision in the weeks ahead.

The 1980s have tested the limits of constitutional patience and tolerance of Canadians, and I believe that the accord, with all its complexities and compromises, addresses the sense of powerlessness in the west, the sense of inequity in the Maritimes, the sense of isolation in the north, the sense of frustration here in Ontario, the sense of misunderstanding in Quebec and the sense of injustice in our aboriginal communities. These are undoubtedly serious and difficult realities, an immense challenge for any one document, for any group of political leaders. But Canadians have a reputation throughout the world for being compassionate, for being understanding, for being tolerant and for being generous. The rest of the world, recognizing our ability to develop peaceful solutions and resolutions to conflict, has often sought our expertise.

Let us now live up to that reputation on our own behalf. Let us make the 1990s a time of constitutional reconciliation and peace here in our homeland, here in our nation. Let us present to every Canadian an opportunity to breathe again, to build bridges, one with another.

We, as Canadians, have a profound and quiet belief in our country. We believe that Canadian men and women can be different and equal at the same time. We are a nation whose history is united in its diversity. We have built an impressive heritage, and our caring society is the envy of many. On October 26 each of us throughout Ontario and Canada has the opportunity to make a choice, a positive choice, to protect and nourish the heritage and traditions we treasure.

We've all heard in the media and elsewhere about what is not in the accord. It's time we heard more about what it does contain. I believe this accord, this very Canadian accommodation, accomplishes many important things.

The accord strengthens and renews the bonds that brought us together as a nation in the first place. The accord presents opportunities and challenges for a dynamic cultural and economic future. The accord reconciles minorities in its Canada clause. The protection of official-language minorities, wherever they are across this country, is entrenched in the accord. The accord, as I have said, is a framework which provides the direction for Canada into the 21st century. Once the framework has been agreed to,

we can all focus our attention on many other significant issues—most important: getting Canadians back to work.

The accord recognizes the regional realities we have always had as part of this country. It has as one of its key objectives the maintenance of federal programs in health, education and welfare, where we all want comparable quality and availability for all Canadians regardless of the prosperity their particular region holds. The renewed Senate will provide a more emphatic regional voice and will ensure that even the smallest province's concerns will be heard.

One of the most ground-breaking aspects of the accord is the innovation surrounding aboriginal self-government. The accord establishes a framework within which the first nations of Canada can develop governmental structures which respect their particular language, history and culture. Indeed, much work has already been done towards this goal right here in Ontario, in the Yukon and in Alberta.

The vote of October 26 is, at its core, a request from our national, provincial, territorial and aboriginal leaders for an affirmation of the work they have done. It's a request to give a focus, an endorsement of the principles upon which Canadians want their country to be built, principles, may I remind again, which parliamentary committees across this country had presented to them throughout the year 1991 and indeed into 1992.

I ask: Do we as Canadians really appreciate our treasure? Are we as Canadians willing to turn the page? Are we as Canadians willing to step forward for our country?

Let us rediscover the spirit and the vision of the Fathers of Confederation. Let us listen again to the words of Sir John A. Macdonald when he said:

"Whatever you do, adhere to the union—we are a great country, and shall become one of the greatest in the universe if we preserve it. We shall sink into insignificance and adversity if we suffer it to be broken."

In 1865 he may have been speaking about the 1992 agreement when he further observed:

"The whole scheme...bears upon its face the marks of compromise. Of necessity there was a great deal of mutual concession. Canadians are known by their values of fairness and compassion."

I think I witnessed that at the multilateral meetings and at the first ministers conferences.

George-Étienne Cartier expressed the hope in 1864 "that if our Constitution must be amended, it will not be to narrow the principles of fairness on which it is founded, but rather to expand them even more." I believe that this accord begins to answer that hope.

I urge all Ontarians to take their rightful place in our nation's history, to share the values that we have in our hearts. Canadians have a unique opportunity to come together in trust and respect, in generosity and with courage. Our leaders have made a commitment to the nation's future. Let us share with them that commitment and be proud of our country and each of its citizens.

On October 26, in answer to the question, "Do you agree that the Constitution of Canada should be renewed on the basis of the agreement reached on August 28, 1992?" I will be voting Yes.

1510

Mr Charles Harnick (Willowdale): It's a pleasure to have the opportunity to rise and speak on this resolution dealing with the future of this country. I have had a very unique opportunity since I've been in this place, and that opportunity was in being a member of the constitutional committee, having the opportunity to travel across Ontario and having the opportunity, as well, to visit other parts of the country to discuss this issue.

I'm very grateful that I've had that opportunity. It's been an eye-opener, and it's been something that, for me, has been an experience. I've had the opportunity to really live the development of this agreement. I've seen the agreement come together at the intergovernmental affairs level. I'm very grateful to the Premier and to my leader for choosing me and giving me the opportunity to be there. As I say, I've had a unique opportunity because in a sense I've lived the constitutional development that we've reached today in this Charlottetown agreement.

Over the last few weeks I've been spending a great deal of my time in my riding visiting a lot of the schools, high schools and junior highs. I've had the opportunity to engage in some kind of dialogue with students about this agreement and about where this country is going. I can tell you that the students in the riding of Willowdale are concerned about the future of this country. They're concerned about the impact of this agreement and any step we take in terms of the effect it will have on this country and how it will relate to them as they reach the stage in their lives where they're going out looking for jobs and looking for prosperity.

One of the things that strikes me—and Mr Beer spoke about this yesterday very briefly—is that fundamentally we have to ask ourselves: What is a constitution? What will a constitution do for the citizens of this country? Will a constitution, the agreeing and saying Yes to this Charlottetown agreement, solve all the problems we have in this country? The answer is: No, it won't.

People have to understand that this is not the panacea to end all our problems. Governments still have to legislate. Governments still have to stand before their electorates and offer programs, and they still have to provide people with the necessities and the climate to prosper. This Constitution won't do that. The Constitution, as I've been telling students in my riding, is really a rule book. It's a framework for how legislatures operate and how laws will ultimately be made. It's a rule book that governs what the powers are in our federal scheme of things: What can a province do? What can a federal government do? What are Ottawa's rights? What are the provincial rights? What are the rights of individual citizens? That's what the Constitution says. The Constitution sets out what the rules are as between governments and as between governments and individuals.

It is within this framework that laws will be enacted by parliaments across this country to better the people who live in this country. The mere passing of this agreement is not going to solve all of those problems, so I say to people, "Don't make more of this agreement than it really is." This agreement permits governments to carry on in a

relationship with one another. It also permits individuals to know that their freedoms and their rights will be protected. That's what I've been telling the students in my riding.

Quite frankly, I think this is a very good agreement. It's a good agreement because it reflects what all parts of this country believe in. It's not a perfect agreement and it doesn't give Ontario every single thing that Ontario might want or might ultimately need, but it recognizes those things that are very important to Ontario.

It recognizes the supremacy of Parliament. It recognizes that the House of Commons will remain supreme. It provides Ontario with further and greater representation in the House of Commons. It creates a Senate that will not effectively hurt the province of Ontario but at the same time will help provinces such as Alberta and Newfoundland that have concerns about their natural resources.

If we recognize the broad consensus that's been reached to come up with this agreement, then we have to recognize that everyone got something that was significant for them. If we try to look at this agreement and say, well, Ontario could have had five or six or seven more items that would have made Ontario much more wealthy or much more prosperous at the expense of other Canadians, then that to me is not an element of compromise that we as Ontarians, given our history, could live with.

One of the unique opportunities I had as a member of the Constitution committee was the opportunity to travel to other parts of this country to speak to members of other legislatures and to understand the uniqueness, the distinctness, of all of the other areas of Canada. We as a committee did that so that we would understand that other people's opinions and desires had to be met when we came up with a final agreement.

I think the Charlottetown accord recognizes that. It recognizes that in terms of the Senate, where it didn't take any rights away from Ontario but it provided Alberta, Saskatchewan, British Columbia, Newfoundland and Manitoba, which were the provinces most concerned, with the protection that they desired.

When I look at this agreement, I see the opportunity that aboriginal peoples will now have, an opportunity that they have never had before, where they were really seen as subservient and confined to living under the Indian Act, an act that historically has been something that causes every Canadian shame. I see the opportunity that now is going to be available to aboriginal peoples and the fact that, as Ovide Mercredi said yesterday, there is a way out of the poverty, there is a way to prosperity, because aboriginal peoples will now have control of their own destiny.

For this reason, I think that this agreement is something that Canadians can be proud of. It's not perfect, it's not a guarantee, but it's something that Canadians can be proud of. As an Ontarian, I'm proud of that. I'm proud of the fact that we have finally recognized that aboriginal people were civilized people living here when European settlers arrived and that they had a form of society and government and that we are recognizing that organized society.

What we are also doing is building on that recognition and that provides tremendous opportunity to aboriginal people. I hope that if this agreement is passed, they will be

able to go forward and carry on with the development of their native self-government.

1520

I go into the schools in Willowdale, and I'm often met with, "Why should Quebec get something more?" But when I put it to students that really Quebec isn't getting anything more, that at the end of the day we as Ontarians don't come home with less because we're recognizing the distinct language, culture and legal system in the province of Quebec, they generally tend to agree with me.

When it's put in terms of what language is spoken in the province of Quebec—we all know that the dominant language in the province of Quebec is French. It's one of our official languages. By recognizing that and by preserving that and permitting the government of Quebec to preserve and promote that language in the face of a declining birth rate, in the face of increased immigration, we're not taking away anything from people in Ontario or any other part of the country. We're not making anybody more equal or better. We're just recognizing a fact, and it's a fact that we all, as Canadians who visit that province, revel in. We enjoy it. It's something that makes us all unique. I think that the compromise that has been reached to protect the French language, the French culture and the French legal system is something we can again be proud of, and it's reason to accept the Charlottetown agreement.

One of the very interesting things that occurs is I'm often asked by students, "If we promote the French language, what will happen to minorities in the province of Quebec?" We look at the Canada clause and it says quite clearly that we're going to protect minorities, we're going to recognize the minority official language communities throughout Canada.

I put it to students that people are concerned about minorities in the province of Quebec, and if we vote No and these protections are not available, what will happen to those minority communities in the province of Quebec? I don't know whether they'll receive protections. I assume that they will, because the nature of the governments in the province of Quebec has been such as to protect minorities. But I don't know what's going to happen to them.

I become somewhat agitated when I think that in one breath people are saying, "Let Quebec go because Quebec doesn't protect minorities," and in the next breath you've got to explain to them that there are protections for minorities in this agreement. Why do you want to cut minorities loose, why do you want to isolate them, if that's the way you feel?

I think this agreement will protect minority language rights in the province of Quebec, and at the same time it will promote the French language so that it won't die. It will continue to provide 25% of the seats in the House of Commons to the province of Quebec. They've always had that. They've always had a guaranteed number. In spite of the fact that now they have 27% of the population, they've always had 25%, and there's no reason to believe that they should, in terms of numbers, ever represent less than 25% of the people in this country.

I think there is a great deal to commend in this agreement. I think we can be proud that our premiers, our native

leaders, our territorial leaders, the Prime Minister and the ministers of intergovernmental affairs could all get together and create an agreement that everyone could find something to revel in. I think that's what this agreement does. This agreement recognizes compromise and, to me, that is a very, very important aspect of the agreement.

I'm a little dismayed when I hear the academics and the professors writing day after day in the newspapers, telling us what will happen with the interpretation of this clause and what will happen with the interpretation of that clause. I make no apologies. I'm a lawyer myself, and I can tell you that when you argue cases before courts, you argue cases based on facts, and I don't know how all these academics can gaze into their crystal balls and decide what the law is going to be when they don't know what the facts of the case are.

Surely the facts of the case mean something. The facts of the case before the judge will determine the approach the judge takes or the Court of Appeal takes or the Supreme Court of Canada takes in deciding the case. I can't for the life of me understand how come all these academics know what all the answers are before we've litigated the cases.

Quite frankly, I would like to have a perfect document. I would like to have a document that we never have to seek recourse in the courts to interpret. But that would be unrealistic. We have always had to seek recourse in the courts to interpret what the laws of this country mean.

It was interesting. I heard Eric Kierans on the CBC this morning, and he said: "Boy, can't accept that agreement. It has too many sections. There's too much there. The United States only has seven clauses. That's what we should have. We should have just seven clauses." The fact of the matter is that even their seven clauses have been the subject of litigation from the day the United States was born and litigation continues over their amendments to the Constitution and over their Constitution itself.

By the same token, I hear all the people who say No to this agreement say, "Boy, that BNA Act, it was flexible, it worked, we should live with it." We've been litigating the clauses of the British North America Act since the day of Confederation, since July 1, 1867. We've been litigating constitutional cases in this province and we're going to continue to do so and, quite frankly, I think we should be proud of the fact that we can go to the courts and we can say to the courts, "My rights have been taken away."

When my rights are taken away I have the opportunity to go to a court, which will listen to the facts of my case and will help me. I don't think there's anything sinister about that. I don't think there's anything sinister in that we've tried to come up with an agreement that's complete. But everybody knows, even in a seven-clause Constitution, like Eric Kierans says the United States has, they litigate cases, they go to court, they fight over what the interpretation is, just as we'll do here and just as we've been doing for in excess of 100 years.

I don't know how those academics can make these decisions and make these pronouncements and, quite frankly, I would ask people to discount them. I would ask people to consider: What's the upside of this agreement?

What's the opportunity that's going to be created if we accept this constitutional accord? What are the opportunities that we as Canadians are going to have?

I know that, for instance, my party leader has been critical of some sections, although generally he accepts the accord and he'll be voting Yes. He says: "We've got to develop the economic aspects of this accord. We've got to have free trade within this country." That's an opportunity that we have as Canadians and as Ontarians, that's an opportunity for the future, but if we vote No we may not have that opportunity.

If we vote No, the aboriginal peoples will not be able to dig themselves out of an impoverished life. They have that opportunity. We as Canadians should not deny them that opportunity.

What about the province of Quebec? I hear the poll numbers, and the poll numbers don't make me happy, but I'm confident that when the great mass of undecideds—those people who go to work every day, who aren't academics, who aren't teachers, who aren't trade unionists, who are much more politically active in the province of Quebec, I believe, than they are here, the professional classes who see themselves as great entrepreneurs, able to go it alone—when the vast majority of hardworking Quebecers go in and have to say Yes or No, I hope they're going to say Yes because they are going to recognize that in Canada there are opportunities, that in this agreement there are opportunities, that, "If we say No, we're going to miss those opportunities."

1530

The up side of this agreement is that there are challenges and opportunities created that we as Ontarians and Canadians have a great desire to see and to feel and to be a part of. But what's the down side of the agreement?

I listen to everybody who says No. I listen to them. They tell me that if we say No, the day after this referendum we're just going to sit down and start negotiating again.

Who's going to be doing the negotiating? Is it going to be the premiers? Who can it be if it's not the premiers, if it's not the Prime Minister, if it's not the native leaders? Granted, we might be able to make the group wider and broader, but there's always going to be somebody who's going to claim they're not there. If the large group that made this agreement gets larger, what are the chances of our coming up with another agreement? If this one isn't acceptable, are we really going to sit down and negotiate again? Are the same people going to come up with a better or a different deal? Are the same people going to come up with a deal and a compromise that is any better than this? I can't see it. I can't see that as being a possibility at all.

I totally reject the idea that the negotiations will continue even if we say Yes, because the reality is that we will always be negotiating. There will always be legislation that will be negotiated. There will always be changes that will be negotiated. That is part of living in a dynamic society. There will always be change that will be better for the public. We'll always be negotiating.

This deal, as I said at the beginning, this Constitution, is the framework. What we have to do after we have the

framework is to build the interior. We have to carry on with creating change that's going to be good for Canadians. That is why I believe that the down side of this is to vote No, because I don't think we'll sit down and renegotiate a better deal. I don't really have that much faith in Judy Rebick and Preston Manning.

I remind people that the other people who are saying No are people whose avowed purpose is to tear this country apart and take Quebec away. By those people, I refer to the opposition, the Parti québécois, the Bloc québécois. Their avowed position is to say No. Whether it's this agreement or whether it's any other agreement, their position is to say No.

I can only conclude that the down side is that we wouldn't continue to negotiate, but we would be figuring out a way to dismantle this country. By dismantling this country, we would put our economic lives in jeopardy. Even worse than that, we would deny ourselves the opportunities that this agreement creates.

I am very appreciative of the opportunity I've been given to stand here for a few minutes and discuss the Constitution. I will be proudly voting Yes. I will be making myself available to my constituents to discuss this, to explain it as best I can and to respect, ultimately, what the wishes of my constituents in Willowdale are and what they want to do and how they see the future of this country.

Mr Rosario Marchese (Fort York): I as well am proud to speak today in favour of the Charlottetown accord that we approved on August 27. I want to say that this is a very important accord we have put together. It's important to all of us and it's particularly important to the children who will follow all of us once we leave this land.

I want to say that as the parliamentary assistant to the Premier, I have been at all the multilateral constitutional meetings since the beginning of March, and I have to say this experience has helped me to create a better understanding and to have a better appreciation of what it means to be a Canadian. I have to say I've been very pleased to work very closely with the Premier and the Minister of Natural Resources throughout these discussions, including members of the opposition, and I have to say to the people of Ontario that we have been well represented.

On the issue of the process, I think comments need to be made on that. This constitutional process has consulted Canadians unlike ever before. In Ontario, we had the Ontario select committee that toured this province for an entire year. It consulted people about what was important to them. We also had an Ontario constituent assembly last October, consulting 150 people or so who came from all walks of life, to give us a sense of what they wanted to see reflected in the constitution. We had, at the federal level, the Spicer commission going out to consult Canadians across the land, and we had five national citizens' conferences. In Ontario, we had an aboriginal round table. These processes we have used are, in my view, very different from other processes of the past, and I think they need to be highlighted.

In addition, I need to emphasize that this constitutional agreement is not just about one province or about a particular people; this was to be the Canadian round, a round

that includes everybody. We didn't listen to just one province or one interest group; we set out to include everybody and I think that through this accord we have accomplished that. Finally, this accord gives people an opportunity to have a direct vote on this issue.

This should not, in my view, overlook the historic consensus that has been reached or underestimate the consensus that has been reached. For the very first time, we not only have a federal government in agreement with provincial governments, but we also included in this round the two territories, and we included as well the aboriginal leaders, the four national aboriginal representatives, and they all agreed to this accord.

Let's not underestimate the differences. Imagine political parties, the Liberal, New Democratic and Conservative parties, together in one room, imagine aboriginal people and the two territories together in one room, agreeing. I think it's historic that we were able, in the end, in spite of the differences, to put together an agreement. We did that because we all felt we needed to make accommodations to each other and because we felt we needed to respect the diversity that is this Canada. We often forget that we are not homogenous, but we have managed to keep unity while respecting diversity.

I know that each element of the accord has its critics, but taken as a whole, it is a balanced step forward for Canadians. The Charlottetown agreement provides us with a new covenant between Canadians and their governments that spells out our rights, our roles and our responsibilities in a fair and just manner.

Now Canadians will have their say, and clearly, on October 26 they will be allowed to speak on this issue. I urge all the people who are watching us today to support this agreement on the basis of its content. I believe it achieves what Canadians have asked us to do: to address outstanding grievances, to reconcile our differences and celebrate our diversity, to protect what we cherish and value and to provide a flexible framework for future generations. I can say with confidence that a Yes vote will allow us to harness these achievements and move forward together as a nation. It's time that we ended the uncertainty over our constitutional future.

What are some of the elements of this accord that we can speak to? We have a Canada clause that talks about fundamental values and speaks to aboriginal peoples constituting a third order of government. It speaks to Quebec being distinct and I say there that it's time all Canadians acknowledge an historical and sociological fact, that Quebec is different, that they speak French, that they have a different culture and that they have a civil law that is radically different from the rest of the country, and to acknowledge that takes nothing away from any of us.

1540

It speaks as well about racial and ethnic equality, and I have to say that I feel included in that language. I feel that all Canadians are included when we speak of racial and ethnic equality. We have never had such a clause before and its inclusion should make everybody feel they are protected.

It speaks about individual and collective human rights and freedoms for all people, which means everybody is included in those protections. So that clause too is very powerful. I think most Canadians would agree with me that this does a good job of capturing who we are as a people.

On the issue of aboriginal self-government, some people will know that in 1867 our Constitution contained only six lines about our aboriginal peoples. I can say with pride that it's time that we correct that injustice and I believe that through this accord we have done that. The Charlottetown accord does this by recognizing the inherent right of aboriginal people to govern themselves. The Ontario government has strongly supported that agreement and we're proud of the role we have played to make that happen.

On the social and economic union, I want to say that this is a ground-breaking section. It has been strongly promoted by Ontario. In fact, this is something I have done actively for four or five months, as I toured Ontario to promote and to defend a social charter. Across Ontario everybody from all walks of life said that they wanted to preserve those social values, and for the first time our Constitution will express this shared vision by entrenching a set of obligations on governments to maintain and enhance Canada's social and economic union.

This agreement commits all governments in Canada to a health care system that is comprehensive, universal, portable, publicly administered and accessible; to providing adequate social services and benefits to ensure that all residents in Canada have reasonable access to housing, food and other basic necessities; to providing high quality primary and secondary education to all individuals resident in Canada and ensuring reasonable access to post-secondary education; to protecting the rights of workers to organize and bargain collectively; to protecting, preserving and sustaining the integrity of the environment for present and future generations.

The economic union objectives include the goal of full employment, ensuring that all Canadians have a reasonable standard of living achieved through sustainable and equitable development. In my view, the social and economic union clause in the Charlottetown accord helps to protect the network of social entitlements that Canadians have come to expect.

On the division of powers, again there is a theme that connects here and it's a theme of unity through diversity, and that too is reflected in the division of powers. The devolution of power from Ottawa to the provinces that many people have feared has not happened. Instead, the provinces will have a clearer role in areas which they have traditionally overseen, but we still maintain a strong central government, which is what we all want.

Protection for intergovernmental agreements, which we have put into this accord for the very first time, gives us protection. It will say that the federal government will no longer be able to unilaterally change agreements with provinces, as it has done to us. Ontario has been the recipient of that loss; Ontario has been hurt by such changes. The Charlottetown accord will help to protect our interests.

On the Senate, I have to say that many of us were opposed to the Senate. Many of us felt we should abolish the Senate. Indeed, there was sentiment about that across Canada, but we could not, in good conscience, say no to provinces like Alberta, Manitoba, Saskatchewan, Newfoundland and Nova Scotia, that wanted to have a Senate that was equal, elected and effective. To be able to respect the diversity we, in the end, said we will have an elected Senate and end the patronage system we've had for far too long.

In my view, that's good. We have an equal Senate, and that's fine too, but what we are going to get, where people want it effective, is a Senate that will not be effective enough to cause gridlock in the House of Commons. That's what we didn't want. We believe we don't have this with this accord. That protects our interests. It will not be a confidence chamber able to bring down the federal government. And that protects our interests.

We will have 18 MPs as a result of the losses we've had in the Senate. We feel this gives us greater representation by population in the House, where Ontario has been underrepresented for far too long. This will give us an opportunity to send an equal number of men and women to the Senate, to which I am bound and to which this government is committed. What we have achieved is, again, unity while respecting diversity.

These are the highlights of the Charlottetown accord. I believe it's fair, equitable and a sensible set of proposals, and it provides us with an opportunity to move out of a crisis situation and into a new era of stability. To those who say the deal is not perfect, I agree, no agreement can ever be perfect, but they must realize there will be other opportunities in the future to return to the Constitution and make changes. The Constitution, in my view, is like a living tree which must be amended from time to time to keep pace with changing needs.

I will be voting Yes on October 26, and I will be devoting my time and energy in the coming weeks to explain to the people of Ontario why this agreement merits support. Ultimately, the Canadian people will have their say in the future of our country.

I want to leave one final thought before I terminate my comments, and that is, if I had it my way we would have had two questions in the referendum.

One question would have been: Do you dislike some politicians? Answer Yes to that and move on. The other question: Do you agree that the Constitution of Canada should be renewed on the basis of the agreement reached on August 28, 1992?

If we had done that, we would have focused people's attention on this accord, and people would have realized that what we have in this accord is something that will stand up to scrutiny.

I believe the Charlottetown accord will serve well the interests of our children, your children and mine, and I am proud to have participated in the development of this accord.

1550

Mr Hans Daigeler (Nepean): It's an important moment in our history that we are addressing today, and because this moment is so important I wish to put a few comments on the record.

I know that right now there are other important events happening as well and we're competing with other interests. Perhaps later on in the evening some people will still be following our proceedings, as they are repeated in the evening, and I'm addressing myself especially to those who are watching on television, because most of us in this House have had opportunity to reflect in depth about the Charlottetown accord and I will probably not be able to convince anyone one way or the other. But perhaps there are some people out there who are still wondering, and perhaps even some who may be thinking to vote No at this point, to whom I wish to address a few remarks, not so much from intellectual discourse but from my own personal experience, where I grew up and why I think what we have here is very much worthy of our support.

Frankly, I believe that with all the remarks that have been made here in this House, with all the comments and commentaries that have been made in newspapers, in periodicals, over the radio, on television, there's very little to add to the arguments on either side. I think that in the end it's going to be emotion that will probably sway the vast majority of this country.

Frankly, emotions are a dangerous dimension of our own being, because we can get carried away with emotions, but then again, they can also be a positive force to encourage us in our undertakings and move us forward. I certainly hope that come October 26 our emotions will be positive ones, generous ones, and that we're not going to take the approach of "Give it to them," or "I don't want to hear anything more about this." Let not our negative feelings about whatever it is carry the day on this very important matter for the future of our country and for the future of our children.

I respect people who will vote No. There are people in my riding, people in my party, who feel very strongly that this is the wrong direction to take, and they're very emotional about it. But I too am emotional, because I feel this accord does reflect my vision of what Canada is, what Canada should be and what a modern democracy is all about. That modern democracy, in my opinion, is above all the achievement of coming together through consensus rather than confrontation. In the end, that's what it boils down to.

You can certainly impose a particular view that you or I might see as the right way to go, but I think we have progressed far beyond that approach to politics. What this agreement reflects is consensus, working together, sitting down and negotiating and talking it out. Yes, it has taken a long time, and it is a cumbersome method of achieving results, but in the end, what political means have borne more fruit than that method of sitting down and working things out together? There have been too many instances in our history, in European history—frankly, we're still facing it today—where people fail to sit down and work

things out, even if they're tough, even if they have different opinions.

For me, it's a tremendous achievement to have so many people from such different backgrounds coming together day after day, week after week, and yes, even year after year, still trying and coming up with a solution. I think that's an achievement, something to be proud of in the international community. I think that's something we as Canadians should hold up and be proud of. When we look around, we see how many negotiations have broken down. People have simply given up and said, "The other side doesn't want what I want, so therefore I'm going to walk away." There are too many instances of that kind of approach to politics.

Here we have the clear witness of what we as Canadians have always had as our approach to making politics, that is, sitting down at the table, negotiating, compromising, working things out. I think that's great. Rather than weakness, I consider that strength, and that's something I'm proud of. The Charlottetown accord, in my view, follows this tradition of policy-making, and I hope for many years we will continue that policy-making.

I certainly agree this will not be the end of it. It should not be the end of it. There will be continued negotiations, but it can be done, as it is being done in this accord, on the basis of sitting down together, working at it, discussing it, putting forward ideas and ultimately arriving at a solution, even if it takes several tries. Let's face it, we have tried. There has been so much effort that has already gone into this constitution-building, and now we have an agreement. I think we should be ready to say Yes and accept the result, the fruits, of that work.

As I said, my words today, which obviously have to be brief because there are other members who want to speak, are an attempt to put on the record my own feelings about this matter, perhaps to convince one or another person out there. I should tell you that I have tried in my own riding to send out a mailing to as many people as possible, to share with them how I feel about this accord. I have included some of the articles that have appeared in the press, and hopefully they will help people make up their minds. If anybody is interested, of course I would be very pleased to send them a copy.

1600

What struck me in my discussions and exchanges with people were two points. The first one was that people said: "The federal government is giving up too many powers. We're decentralizing." Frankly, I don't see that happening at all; in fact, rather the reverse, because what has happened over the years is that the federal government has entered in areas where the provinces had been given responsibility under the BNA Act. What now appear as federal responsibilities are really provincial ones, especially of the province of Quebec, but not only the province of Quebec. They're very hesitant and, I think rightfully so, critical about the federal government moving in in certain areas that are, by the BNA Act, the responsibility of the provinces.

Now, it is true that over time we have realized that perhaps it's better to have the federal government look

after certain areas. There's nothing wrong with that as long as it's done together and as long as it's done without imposing the views of one government on the other. In my opinion, this framework of being able to work out who is going to do what—is it going to be the province, is it going to be the federal government or is it going to be both governments together—the decisions on that question are going to be made possible by this accord. Now, what is wrong with that? Again, this will take more time. It requires negotiations, and if you want to see immediate action on a particular topic, it probably won't happen. But who is to say that one view is the only one to proceed with?

Take the example of medicare. We're all proud of medicare but, let's be realistic, how did we arrive at that program which is now country-wide? Well, it was first proposed by a province. They experimented with it, they put it forward and soon some other provinces realized that Saskatchewan was on to something very good and they said, "Yes, we too would like to provide the service." In the end, the provinces came together with the federal government and said, "We want to make this program nationwide, we want to establish certain criteria," and there was cooperation between all the partners in Confederation. I think that's the way Canadian politics has worked and should work in the future.

The Charlottetown accord, I think, takes this approach. It makes it possible for the federal government to provide leadership. That leadership is not imposed on the provinces but agreed upon through consensus and through cooperation. I think that's a good approach. This is not bad; I think this is very good. This is in the best tradition of Canadian politics and I think in the best interests of all of us.

The other concern, which frankly makes me very sad sometimes, is that many people say: "Well, we are sick of always giving in to Quebec. We're giving too much to Quebec." There's a lot of frustration, emotion and concern of people out there, and I have to be realistic. Even though I don't agree with this attitude, I think it is fair and it is something I as a politician have to deal with.

But for anyone who feels like that, unless your mind is totally made up, do take a look at what has happened here. Where is it in this accord that we have given special powers to the province of Quebec? You can mention, first of all, the "distinct society" clause, but the "distinct society" clause is very clear. It does not give any new, additional powers to the province of Quebec. It's even mentioned in the accord that this is an interpretative clause. So in the light of the distinct nature, the distinct character of the francophone people in Quebec, the Constitution should be interpreted. When it comes to conflicts over the interpretation of the Constitution, the Supreme Court will have to take into account that Quebec has certain traditions and has a predominantly French culture. It also has to take into account that there are francophones in other parts of Canada, including of course Ontario, and that this is a very important element of the Canadian identity.

I think that is great. I think, again, that is one of the great attractions of Canada internationally, having that second main culture within the Canadian identity. I think we

should be and have to be prepared to recognize that, acknowledge that and be proud of it.

Yes, there are some negative experiences that we have had. A lot of people still refer to the sign law in Quebec, and frankly I feel that politically this was certainly a grave mistake that was committed at the time. It turned a lot of people off, and where there was a generous attitude towards Quebec, from one day to the next it really hurt a lot of people.

But look at this accord. What does it do? It certainly does not give any major new powers, any new, significant powers to Quebec that are not given to any of the other provinces. So if people are saying out there, "We're sick of always giving in to Quebec," I don't see where one can argue that on the basis of this accord.

I do, however—and I mentioned this already—feel very strongly that we should recognize, as we're now also doing in justice with the natives, the special place, the special identity and the special character of the francophone community and the francophone culture in North America, particularly in Canada and in Quebec. With this accord, I see that taking place in harmony with all of Canada. The current government of Quebec accepts the provisions that are put forward in this accord, and in my opinion we must strengthen the support and the position of the current government of Quebec on this issue.

In these few words that I wanted to put on the record I have spelled out some of the reasons why I certainly will be voting Yes, and I encourage all those who are still undecided or perhaps wavering—I hope I've at least been able to move them a little bit forward and encourage them to vote Yes on October 26.

1610

Mr David Turnbull (York Mills): I had to beetle back to my seat to join this important debate. It is a very historic crossroads for Canada that we face. I very much wanted to reflect, in just a few brief words, on why I will be voting Yes in this referendum.

I chose this country, this beautiful and very progressive country, many years ago and came to live in Canada in 1969. It's been a fine experience. I was struck by the fact that the previous speaker was also an immigrant to Canada, from Germany, and the speaker before him was an immigrant to Canada from Italy and I myself am an immigrant from Britain, and we all are supporting the Yes vote. I believe that the next speaker from the NDP will be somebody who represents, very ably, the disabled community. Then after that we're hearing from a francophone. All of us are supporting the Yes vote.

My purpose in entering politics was because I wanted to make a small contribution to this country and for the opportunity for my children to enjoy the same advantages I've had. I worry that my children may inherit a country which is torn by strife and indeed a country which is financially in ruin. I don't relish that.

Of course the Charlottetown agreement is not going to solve all problems. It's not a perfect agreement, but I ask you, how often do you find perfect agreement? I'll be voting Yes because I think it's too important for Canada,

but voting Yes is not something which is going to be some magic formula for changing everything. Some of the doomsayers are predicting catastrophe for Canada if this is not passed. I don't share that view and I don't believe that the consequences of a No vote would be that Canada would fall apart, although I am concerned that it will be very damaging for Canada. Indeed, the Charlottetown accord is not a panacea for all of Canada's ills, but I do have faith that the Canadian political leaders put together the best deal they were able to.

Let us just reflect for a moment on the uniqueness of this situation. We had all the premiers from across Canada, representing all three of the main established parties, negotiating this deal. As anybody who has ever observed the goings-on in this House would know, we from the three different parties quite often disagree and we're quite often fairly fierce in our disagreements. But in recognition of how important this issue is, all the three parties represented at the Charlottetown agreement were able to come together and cobble—and I use that word advisedly—together an agreement which had a lot of lumps and bumps on it that we would all sooner weren't there. But nevertheless it is an agreement, an honourable agreement created in the fine Canadian tradition of compromise.

A lot of people say Canadians compromise a lot, and they say it in a pejorative way, but I think the fine thing about Canada is the fact that we can compromise and that we recognize that generosity towards people who don't agree with us is often necessary to make sure that our society works. In business over the years I have often been party to agreements. I wasn't satisfied with all of the agreement, but I went into it in full knowledge that in the end it was the best agreement I could make and it was still beneficial for me. That is the spirit in which I'm joining this debate and voting Yes.

I don't think we should have a situation where political leaders should be telling people how they should vote. We should be telling them in a very forthright way how we're prepared to vote and the reasons why. But it is very important and we've heard some of the people in this debate so far explaining the various elements of the Charlottetown agreement.

In this debate, I'm not going to suggest any of the elements of the Charlottetown debate and dissect them. I'm just going to comment on the fact that it is important for all of the people who are going to vote in this referendum to inform themselves as well as possible of the implications of this agreement. I want to tell them not to believe all of the inflamed rhetoric, because there has been a lot of inflamed rhetoric frankly on both sides, the Yes and the No sides. I don't think that our job as politicians is to inflame or manipulate; it should be to educate and not just appeal to emotion.

It is the responsibility of Canadians, as I've said, to inform themselves about the accord. I have many copies of the agreement for my constituents in York Mills that I would be very happy to distribute to them. In fact the government has distributed copies to all households in Canada.

I believe that the people of Canada should acquaint themselves very thoroughly with all of the elements of this agreement. I believe that once they have, the Yes vote will win the day. But it will win the day on its own merit; it won't be based upon hot rhetoric from politicians.

Just a few weeks ago I sponsored a private member's bill in this House to allow for referenda to be initiated by private citizens of this province because I do believe that under certain circumstances a referendum can be a healthy expression of what everybody out there desires. Not what a very limited group of politicians desire, because sometimes we may have our own agendas which don't coincide with what the bulk of the electorate desires, often a group of the electorate that doesn't speak out very loudly. This would give the facility to be able to express those desires.

My private member's bill passed on second reading but unfortunately the government members saw fit not to allow it to be referred to a standing committee, so in essence it died. The reality is that this good bill, which would allow people to express their wills, died on the order book simply because the government wouldn't allow it to go out to a committee to be examined by the public, to be examined in much the same way as I'm urging the public to examine the Charlottetown accord. It would have allowed the public to have had input into the creation of this bill.

But putting that aside, I will reflect on the fact that referenda can be very messy. We're seeing very adequately now that this is not the clean affair people thought it would be where frankly the Yes side thought it would be able to bowl it through. When we read the polls, we're seeing the numbers are not coming up the way we wanted.

But indeed, if there is a No vote, it will be an expression of what people in Canada desire, and woe betide the politician of any party who ignores the expression of people's desires, because this referendum, even though it is non-binding, should be taken very seriously because it is what people want. As wiser people before me have said, "The people have spoken and the people are always right."

On October 26, Canadians will have the final say to accept or to reject this accord. It's an opportunity to renew the country through the accord. It's a tremendous responsibility that we're placing on the Canadian public, but it's a responsibility which they're well able to shoulder. Their judgement, as I've said, must be respected and we should not ignore the way the vote goes.

The referendum is expensive, but the end result for the country will be that we're not reflecting politicians' views, we're reflecting the views of the citizens. It would be disastrous if citizens perceived that the country's Constitution was being rammed through by a group of politicians.

1620

The accord is a package of compromises worked out by the premiers of all provinces and, as I've said, of all the main parties. I wish I could say it was going to end constitutional debate. Realistically it won't, but I think it will give us a respite, if it's passed, for some years. These are very vital years that we need to revitalize the Canadian economy and hopefully we'll be able to revitalize the Ontario economy, which is suffering not just from the world

recession, but also from the poor provincial government attitudes.

In expressing the will of the people, if we agree to the Charlottetown accord, we will be solving some of the problems that are perceived and tensions that have built up over 125 years across this country. I think it will benefit all of us and then we'll be able to move on to the resolution of Canada's other problems and make it once again a land of opportunity, the land I came to and the land in which I want my children to enjoy the same opportunity I've had.

The Acting Speaker (Mr Noble Villeneuve): Further debate?

Mr Gary Malkowski (York East): It's a great honour to stand today at one of the most important moments in history to talk about Canada, Confederation and our Constitution, the Charlottetown accord and the agreement it contains.

To be direct with you, I want to share some of my own personal experiences, my involvement in travelling both within the province and also outside the province, both east and west. I also travelled to Europe, I've been to the United States, I've travelled broadly and my experience has taught me things. I've met many people from many places who've all said that Canada is the most wonderful place and has one of the highest standards of living. We have peace and stability, and many people are very jealous of what we have here. Many countries recognize how lucky we are in this country to have the prosperity that we have. We hear this from people from other lands and it's important to maintain that for Canada.

I've travelled across Ontario to different communities in the north of the province, the south, the east and the west, including out-of-province visits to the Maritimes, Manitoba, Saskatchewan and British Columbia. I've been to Quebec, Newfoundland, Nova Scotia, Prince Edward Island, New Brunswick and, of course, the Yukon Territory.

I served on the select committee on Ontario in Confederation. We travelled and heard deputations from many groups: aboriginal people, francophones and multicultural groups. We heard from the Greek community, the Italian community and visible minorities. Many disabled people participated in this process who came to our select committee and shared their very important perspective of what it means to be a Canadian, what the future looks like and where they are in the mirror of what Canada is and what the Constitution reflects.

Hearing this has had a tremendous impact and I'm proud of my own father of Polish heritage, who came to Canada, and my mom, who is a francophone from New Brunswick. My mom's family is all from New Brunswick. I'm proud of my father arriving in Halifax in Nova Scotia and travelling across the country to come here and the wonderful stories they reiterate of growing up in this wonderful country of Canada.

It's very important to share with you my own personal experience of how strong an advocate I am for not only the disabled community but also the deaf community. I come from that place and, when I stand here as an elected politician, I can see a broader picture and I can see some of the

realities of the social, the economic and the political picture.

We can see in the Charlottetown accord, in the agreement that our leaders have come up with, and we can look back at the past, over the last 125 years of Canada's history, and we can see that it has always been a struggle in constitutional debates to include as many people as we can from many groups reflecting many varieties of populations within the country, to get them in a Constitution.

When I see the Charlottetown accord, the premiers of the 10 provinces and the two territories, the Yukon and the Northwest, our federal government and our aboriginal leaders have come together to discuss and to agree by consensus. The tradition of Canada is compromise, and that is what it is, Canada, and that is what is reflected in this accord, people working together for the betterment, for the establishment of something that we can all own.

Aboriginal people: The Inuit rights are there, self-government is included. This is a major priority of the accord. The Quebec "distinct society" clause: It recognizes the unique place of Quebec in our Constitution. The Senate: So far, we've had a patronage appointment system, and that will be redressed in this new accord.

For the first time, the provinces will have a guaranteed place of negotiation with the federal government in terms of the spending powers and guarantees of social programs. As well, included in the Canada clause are racial equality and ethnic equality, and equality of both women and men.

These things are truly remarkable and an accomplishment. I want to be direct with people, and I share my own experience and I look at this and the feedback that I have received from the disabled people across this land. They say: "Disabled people: Where are we in the Constitution? Where are we?"

When you read through it, the concerns the disabled people express are valid. It makes one stop and think. But does the Constitution, does the Charlottetown accord agreement benefit disabled people, the people of my riding, the people who are senior citizens? Forty per cent of those senior citizens are disabled. What kind of benefits are there for those people, both disabled people and senior citizens? Are they reflected?

I am convinced that disabled people and senior citizens do have benefits and that the accord does benefit those populations, the reasons being, first of all, it includes individual and collective rights and there are protections included in the Charter of Rights and Freedoms. Second of all, federal spending powers have a guarantee of social programs which are offered in the accord, which means access to education and training and employment opportunities.

This is an important time for people to work together, to come together, to recognize that this is a foundation, that this agreement is a place to start and that the social milieu, the economic union that we see and that the greater picture of what is our country has to come together, and our leaders have expressed this coming together in the accord, that we do have a place, yes, to continue to improve and to strengthen the Canada clause, but it's very important that we do that.

I want to share my own feelings and say that it's a very emotional issue and it's a non-partisan issue, it really is. People who want and care about Canada have come together and worked together for the cooperation of our country. I'm very, very proud to have a country like Canada and to be a Canadian and that we have such an outstanding reputation, one of the longest-standing reputations for economic and social stability in the world, and I'd like to see that continued.

According to the United Nations—what did they say this year? They said that Canada was the best country in the world, where we have stability, social and economic and political benefits for our population, and there are national standards of life that we should all be very, very proud to have, and that's included in this agreement.

1630

So stop and think. I appreciate that people across Canada have concerns when it comes to the accord, and some of the concerns they have expressed are valid. However, we must talk about what we face, the realities of the political world we live in. As we look back, my own community experience has taught me a lot. Now I'm here in the Ontario Legislature and I see an even broader picture.

This is very serious business, this Charlottetown accord, and I must say that we must vote Yes. That can only work for the betterment, security, safety and stability of our country, that is, Canada, and demonstrate that to our population and to the world, to those other countries that look at us to see the success and the example we set, not only by compromise but also by working together, to rebuild and to have a new Canada, which is this opportunity.

We must remember the quote that many people are saying, that the Charlottetown accord is Mulroney's deal. I say to people that this is not Mr Mulroney's deal at all. This happens to be the people's deal. In closing, your expression of support is very important to what it means to be a Canadian.

The Acting Speaker: Further debate?

M. Bernard Grandmaître (Ottawa-Est) : Rare are the occasions that members of this House have to blow their patriotic horns, but this is the event to do so. We have to show how proud we are to be Canadians, Franco-Ontarians, and we must continue to promote this fierté not only in the province of Ontario but throughout Canada.

We have so much to be proud of. We are the role of Canada on so many issues, we are the leaders on so many issues, and I will not permit a No vote to stall or to put an end to those great possibilities, and more possibilities. We must put aside our differences and concentrate on the future.

As the critic for francophone affairs, I thought I would promote my own language and show my pride to be a Franco-Ontarian.

Monsieur le Président, si vous le permettez, reculons pour un moment un quart de siècle en arrière, et jetons un coup d'oeil sur l'actualité canadienne de l'époque. De quoi parlait-on ? De la constitution encore une fois. Déjà à cette époque-là, il était difficile de trouver un représentant d'une province ou d'un groupe qui aurait admis que la fédération

canadienne lui apportait quelque chose personnellement. C'était toujours les autres qui en bénéficiaient.

Aujourd'hui, dans le pays qui a le plus haut niveau de vie au monde, on se retrouve dans le même genre de situation, sauf que les tensions sont encore plus fortes et que le débat atteint des degrés d'émotivité inégalés.

Je pense que l'entente de Charlottetown est de nature à tuer ce sentiment d'aliénation chez trop de Canadiens et Canadiennes. Je ne dis pas ici qu'aucune revendication constitutionnelle n'était légitime. Je dis simplement qu'on a parlé de constitution trop longtemps, qu'on a fini par lui accorder une importance symbolique trop grande et que c'est devenu la cible de toutes nos angoisses.

Moi, je ne passe pas mes grandes journées à lire mon contrat de mariage. Ceux qui pensent que ce contrat-là devrait être lu mot à mot, ligne par ligne tous les jours, se trompent grandement. Je pense que c'est beaucoup plus important de vouloir vivre et de bâtir quelque chose ensemble.

Quand on voudra bien arrêter de se crêper le chignon à propos de la constitution, il va falloir s'atteler sérieusement aux tâches que nous devons absolument mener à bien tous ensemble : la modernisation de notre économie, l'amélioration de l'enseignement, la lutte contre la pauvreté et bien d'autres.

Je suis conscient que la constitution n'est pas parfaite ; elle a des faiblesses. Tout le monde est d'accord que ce n'est pas un document parfait. Je comprends les hésitations de nombreux Franco-Ontariennes et Franco-Ontariens qui pensent, comme tant de monde partout au Canada, qu'ils auraient dû obtenir plus. Il faut se poser la question, pourquoi est-ce que tant de francophones et d'autres gens dans notre province doutent de cette entente, l'entente de Charlottetown ?

Ce sont plutôt les promesses qui ont été faites antérieurement qui ont jeté des doutes. J'aimerais signaler l'une de ces promesses — on va l'appeler une promesse ou une constatation. En 1981, si vous me le permettez, j'aimerais lire ce qui c'est passé lors d'un débat à Ottawa, lors du débat de la constitution en 1981 alors que notre premier ministre de l'Ontario était député de cette Chambre.

M. Rae disait, «Madame le Président, en vertu des dispositions de l'article 43 du Règlement, je demande le consentement unanime de la Chambre pour présenter une motion se rapportant à une question urgente,» celle de la constitution.

«Des centaines de milliers de citoyens ontariens ont le français comme langue maternelle, et il est juste de demander que leur héritage et leurs droits linguistiques soient protégés. En vue du refus continu du gouvernement de l'Ontario de reconnaître les droits des Franco-Ontariens de communiquer avec leur gouvernement, leurs droits, leur Législature et leurs cours de l'Ontario dans la langue officielle de leur choix, je propose, appuyé par le député de Spadina :

Que la Chambre des communes modifie la résolution constitutionnelle pour amener l'Ontario, en vertu de l'article 133 de l'Acte de l'Amérique du Nord britannique, soit les articles 16 à 20 et 22 dans la résolution constitutionnelle —»

M. Jean Poirier (Prescott et Russell): : Je me souviens.

M. Grandmaître : Je me souviens. C'est le genre de promesses qui ont été faites antérieurement par des gouvernements, par des politiciens — et j'en suis un — qui n'ont jamais été retenues.

J'ai beaucoup de respect pour certains fédéralistes très purs et durs qui auraient voulu qu'on cherche d'abord et avant tout à renforcer les institutions nationales, à éliminer les barrières interprovinciales aux commerces, à donner l'image d'un Canada plus fort au moins sur papier. Ce n'était pas le moment d'essayer de faire cela. Il fallait trouver un moyen ou des moyens de mettre fin au sentiment d'aliénation chez trop de Canadiens. Il fallait trouver une formule viable où tout le monde se sentirait plus inclus, où tout le monde aurait le sentiment qu'au moins on a tenu compte de leurs aspirations.

Il fallait trouver une nouvelle façon, une nouvelle formule de fonctionner qui reflète la réalité du Canada d'aujourd'hui. L'entente de Charlottetown a le pouvoir de faire de cette constitution pour faire mieux, nous redonner le goût de vivre et de bâtir ensemble.

L'entente, je la compare à une carte routière. Finalement, nous avons une vision, nous avons des objectifs, nous connaissons la route, nous connaissons les moyens. C'est à nous de nous prendre en main et enfin respecter les Canadiens de Halifax jusqu'à la Colombie-Britannique.

Les experts disaient que le plus beau modèle de constitution était celui de l'URSS, qui n'existe plus aujourd'hui. Ce document, techniquement parlant, était parfait ; il ne changera pas la réalité.

Quand nous aurons dit Oui, notre grand défi ne sera pas de rajouter les virgules à la constitution ; ce sera de nous souvenir que nous avons des tas de valeurs communes et des projets communs, et qu'il est grandement temps de recommencer à travailler ensemble à leur réalisation.

1640

Il a été mentionné à plusieurs reprises par mes collègues que l'Ontario, que le Canada, était l'endroit unique et universel où vivre, et j'y crois. C'est pour ça que je suis tellement fier d'avoir l'occasion de représenter mon comté, une partie de l'est de l'Ontario, dans cette Chambre pour faire valoir les idées non seulement des francophones mais de tous les gens que je représente.

It's been said by the No side that they will not be supporting this accord for a number of reasons. One reason is: "This is a Mulroney setup. He's trying to trick us again. He did it with Meech Lake. It's a setup because Bob Rae is behind it." This is far from being the truth. Mr Mulroney, Mr Rae, Mr Trudeau, do not represent Canada. We all do. Canada belongs to every one of us, and we have to be proud and show it once and for all that we want Canada to remain the Canada that we all love. Put aside our parochial views and work together to build a better Canada is the answer.

As I said, I would have preferred to have the interprovincial barriers included in the accord, but I think the tools are in the Charlottetown accord and I think there's a feeling

out there among politicians that some day very shortly interprovincial barriers will be abolished.

I believe in aboriginal self-government. I think these people have long been overlooked and neglected and I think it's our responsibility today as Canadians, as Ontarians, to respect the flavour of aboriginal people.

I believe it's about time, and I'm proud to say that everybody is on side, when it comes to recognizing Quebec as a distinct society. It's long overdue. We couldn't accomplish it with Meech Lake but I think with the goodwill of our politicians of today throughout Canada we are finally recognizing that Quebec is a distinct society. Linguistic duality will be respected. Personally I think this is a partnership, not only between English-speaking and French-speaking people, but all minority groups. I think everybody should be included.

We must take advantage of maybe our last chance to do something to build a better Canada, because I don't believe that if the majority of the people of this province or Canada vote No on October 26 we will have a second chance. I'm not saying this is doomsday, far from it. I think we have lived for 125 years or close to 125 years without a Constitution in Canada. I think we have made great strides and I'm proud to say that we are civilized enough that we could govern ourselves without a Constitution. But this is an opportunity that we cannot miss. We have to take this opportunity to open the window and let the new, fresh air, the Canadian fresh air, seep into our homes.

I know I could repeat most of the great things that have been said in this House, but I want to take this opportunity not only to invite the people I represent to say Yes on October 26, but to invite all Canadians to take a long, serious look and show how proud they are to be Canadians.

Le 26 octobre, il faut dire Oui à un nouveau Canada.

Mr David Tilson (Dufferin-Peel): It's a pleasure to rise this afternoon and participate in the debate on the consideration of the Charlottetown accord.

I, as many of you, have travelled this great country from sea to sea. I have been in most of the provinces. Like some of the speakers who have spoken earlier this afternoon, it's certainly by far the finest country in the world, certainly the finest country of those I have visited.

Having said that, I think we must do what we can to keep this country together. For that reason I will be supporting the Charlottetown accord and voting Yes on October 26.

I can recall with great pride one summer, about six summers ago, when members of my family and I travelled this country. We even went to the extent of dipping our feet into the Atlantic Ocean and the Pacific Ocean in the same summer. We covered a great deal of ground, we saw a great deal of our country and we spoke to a great number of the people in this country, and discovered, of course, the many divergent views that exist from the east coast to the west coast. I will go so far as to say that those divergent views of course exist in my riding, they certainly exist in this House and they exist in this province.

I attended a Yes rally in my riding last night at which members of all three political parties spoke. There were sports celebrities and there were business people. Of

course they all supported the Yes position, but they all came from many greatly divergent views.

When we look at what has been accomplished by the Charlottetown accord, the very fact that we've had 10 premiers, representatives from the territories, the aboriginal peoples, the Prime Minister of this country and the federal government agree on something is rather astounding.

It's very easy for us to go through, piece by piece, certain areas of the accord that we don't like. But if you look at the overall package, I believe that, considering those many divergent views across this country and this province and considering the many commissions and committees from all provinces, from the federal government right down to this province, that have spent millions of dollars and time and effort and man-hours and woman-hours in reviewing our Constitution—it's been analysed inside and out—I believe that with those divergent views it's perhaps the best deal we can make.

I guess we ask, what do we do if we say No? Do we stop, after what has been going on? Do we start again? Do we spend more millions of dollars going around this province and around this country with many different committees, government committees, non-partisan committees, party committees? What do we do? Do we start again?

I think Preston Manning's wrong when he says, "Let's end it, let's stop right now, let's finish," because I don't think you're going to get a better deal. You and I, for example, may disagree on certain aspects of it, but the overall package. I liken it to my experience as a lawyer. Lawyers try to avoid going to avoid going to court, and they attempt settlement meetings. Invariably, a plaintiff will say, "We reached a bad deal," and the defendant will say, "We reached a bad deal." I have heard time and time again judges saying: "Well, if both parties think we reached a bad deal, it must be a good deal. It must be the best settlement that we can come to." That's how I liken it to this accord.

1650

It has been said of course that this is the final shot, that this is it. I don't agree with that. I think there is room, that through time there could be more changes. I don't believe that this House has spent time reviewing the history of our so-called document that has been cast in stone since 1867.

In 1867 was the Constitution Act. It was the beginning of a basic statute, and of course, it was originally the British North America Act of 1867, of Canadian union, made up of Ontario, Quebec, Nova Scotia and New Brunswick to form the Dominion of Canada. That of course took place on July 1, 1867.

Then in 1870 the Rupert's Land and North-Western Territory Order was passed. This pushed back the borders, admitting into Confederation vast areas, including the lands of the high Arctic and stretching westward to the Rockies from what is now northern Ontario and northern Quebec.

In 1870, the Manitoba Act, which was the admission of the fifth province, the province of Manitoba.

In 1871 was the admission of the sixth province, through the British Columbia Terms of Union. That was the admission, as I say, of British Columbia.

In 1871 the Constitution Act redefined the country. Rupert's Land and the North-Western Territory, subsequently combined as the North-West Territories, were declared federal territories entirely subject to the authority of the federal Parliament, and Parliament was empowered to create new provinces out of the territories.

In 1873 the Prince Edward Island Terms of Union was passed, and this was the admission of the seventh province, the province of Prince Edward Island.

In 1875 was the Parliament of Canada Act, and this was the road to independence. Parliament was empowered to determine its own rules, privileges and powers regardless of whether they exceeded the powers of the House of Commons of the United Kingdom.

In 1880 was the Adjacent Territories Order, and this was the admission of all British possessions and territories in North America, specifically the high Arctic lands but excluding Newfoundland.

In 1886 was the Constitution Act, in which the territories were permitted their own representatives in the House of Commons and Senate.

In 1898 the Yukon Territory Act was passed, in which the Yukon Territory was carved out of the North-West Territories.

In 1905 the Alberta Act and Saskatchewan Act were passed, in which Alberta and Saskatchewan were carved out of the North-West Territories to become the eighth and ninth provinces.

In 1915 the Constitution Act was passed in which Britain's Parliament, for the first time, amended Canada's Constitution on the basis of a bill drafted by the Canadian government. Previous amendments had been drafted by the imperial government in London, and specifically, the 1915 act defined western representation in the Senate and the minimum provincial representation in the Commons.

In 1930, the Constitution Act: The federal government transferred to the four western provinces lands and natural resources withheld at the time of their admission into Confederation.

In 1931, the Statute of Westminster, which is perhaps one of our most famous pieces of legislation, in which Canada was granted full legal freedom from Britain except in areas where Canada chose to remain subordinate.

In 1940 the Constitution Act was passed, in which the authority to legislate on unemployment insurance was transferred from provincial to federal jurisdiction, and this was the first change since Confederation in the allocation of powers to federal and provincial governments.

In 1949, the Newfoundland Act: This was the admission of the 10th province.

In 1949, the Supreme Court Amendment Act: Although this was not a constitutional amendment, it was a major statement of Canadian nationhood. It affirmed the Supreme Court of Canada as the highest court in the land, and this ended appeals to Britain's Judicial Committee of the Privy Council.

In 1960 the Canadian Bill of Rights was passed. This was an ordinary statute of the federal Parliament, thus subject to repeal at any time, and was applicable only to federal laws. The federal government of the day, convinced

the provinces would not consent to a bill of rights that would apply to them, chooses not to entrench it in the Constitution by way of a constitutional amendment. Although the bill remains in force, virtually all of its provisions have been duplicated in the Charter of Rights and Freedoms in the Constitution Act of 1982.

In 1960, the Constitution Act: The 1867 act was amended to require that judges must retire at the age of 75.

In 1964 the Constitution Act was passed, and in that act Parliament was empowered, with unanimous approval from the provinces, to pass laws on supplementary pension benefits so long as they do not affect provincial legislation. This permitted the creation of the Canada and Quebec pension plans.

In 1965, the Constitution Act: The 1867 act was again amended to require that senators must retire at the age of 75.

In 1974 the Constitution Act established new rules for House of Commons representation.

In 1975, the Constitution Act.

In 1975, a second Constitution Act, which increased the number of senators by giving one each to the Yukon and Northwest Territories.

In 1982 the Constitution Act established an amending formula, thus ending Canada's last constitutional tie to Britain, and the Charter of Rights and Freedoms.

I almost regret going through that series of pieces of legislation, but it is hardly a Constitution that is cast in stone. It clearly is an evolving document; it is a living document. I think, as we're voting on the referendum and taking into consideration the Charlottetown accord, our Constitution and our country are continually changing with the times. I don't think we should forget that.

Notwithstanding the fact that I intend to support Yes, I do have one reservation—that is, the process we are following. On October 26, it has been said by all the leaders of our country, the Premier of this province, the Prime Minister of this country, the opposition leaders in the federal government, that Canadians will make the final say themselves. The decision won't be left to politicians or judges or anyone else. We must choose.

I guess the big question that has been asked of me by people in my riding is: "What does that mean? What does the referendum mean? Is it non-binding? What happens if Ontario votes No?"

Mr Rae, the Premier of the province, has said he doesn't answer questions about speculations as to what's going to happen. He says: "Of course we're going to listen to what people tell us. All I'm saying is that I'm not going to engage in a series of speculative answers from here until October 26 on what might or might not happen here or there."

The referendum is not legally binding on any Legislature except Alberta's.

Interjection: And Quebec.

Mr Tilson: And the province of Quebec. Thank you.

I believe the Premier of British Columbia has said he won't pass the deal if the referendum is defeated in his province, and neither would Saskatchewan. Mr Rae has

been literally noncommittal. He hasn't said what will happen if the province of Ontario votes No.

1700

I have that reservation. I don't want that situation to happen. I don't want this House to be put in that difficult position of, if the province votes No, what are we to do? That hasn't been made clear by the Premier, who is the leader of our province. I guess we'll follow Mr Rae's lead and wait and see, but I do encourage everyone in my riding and everyone in this province to consider the serious implications if you vote No. Ask yourselves, will you get a better deal, will there be a better deal? I say that at this particular point in time, with all the divergent views across this great country and this province, it's the best deal we have. I urge you all to support it.

I don't propose to go through all the clauses of debate. That is done in debates all across our country and all across our province, and it's continually in the press. I would like to comment on one clause which I feel very comfortable with, and that is the Canada clause in the proposed Charlottetown accord. It describes the fundamental characteristics of the way we see Canada today, and it would give the courts guidance on what aspects of life we consider to be particularly important.

Some people or groups have complained that they are not mentioned specifically in the Canada clause. They say that because they're not mentioned specifically they will be second-class citizens. We hear them; they are in the No committees. They say they're going to be second-class citizens because they're not mentioned.

I believe they should have solace with respect to the Canada clause, because it has an answer to that concern. It says in paragraph 2(1)(f), "Canadians are committed to a respect for individual and collective human rights and freedoms of all people"—all people, not just English or French, or men or women.

That is the only point that I wish to address in that respect. I don't want to get into the subject of the aboriginal question or whether the province of Quebec has more rights than it should, because again I have to look at the overall package. I think we have to continually ask ourselves, "If you're going to vote No, what are you going to do in the alternative?"

I have yet to hear a supporter of the No position outline what he or she would do if he or she had an opportunity to go. My guess is that we would go out into the wilderness for another 10 to 15 years. Commissions would be set up at great cost to the taxpayers of this province at a time when we're trying to seek jobs and keep our province and our country going. That's the main interest, and to spend millions and millions of dollars all across this country on more commissions and more hearings I think would be intolerable.

People are genuinely sick and tired of this ad infinitum debate or discussion. Our economy in this province and this country is in deep trouble. Those are the areas to which we should be addressing our concerns. I see that as a higher priority. Let's get out of this mess and get on with getting people back to work in this province and this country.

I believe that for the first time the aboriginals are getting a fair shake. By giving them more responsibilities, they won't have anyone else to blame. There's no question that many definitions are going to have to be met, but I believe that it's a start.

The "distinct society" recognition for Quebec is not only pragmatic but realistic, and we have to recognize that. I recognize that and I think all of us should recognize that.

I am going to close by reading a poem, a poem that I read in my riding last night. It's a poem, written by a number of people, that was originally put forward in 1967. It was actually sponsored by Rothmans of Canada to commemorate Canada's 125th anniversary. It's called "I am a Canadian." It was recently reissued in video and audio. Many of you have probably seen it. It has been re-read by its original performers, in English by the distinguished broadcaster and war hero Joel Aldred and in French by the celebrated classical actor Jean Coutu.

It was written 26 years ago, but I think if you listen to the poem, things really haven't changed; our attitude to this country really hasn't changed. It was written in an effort to define the Canadian character for the anticipated flood of visitors to the country for Expo 67 and other centennial celebrations.

All of us in this country have come from humble beginnings. I think if we go back, we've all immigrated. I have a picture in my office of my great-grandparents who came from Ireland during the potato famine. They came from very humble beginnings and they moved into this province. I put that picture in my office just to keep me straight, that we all come from humble beginning. Just looking at the picture, you can tell that those are humble people. Whether you are a new immigrant to Canada in 1992 or whether you were an immigrant to Canada in the 1800s or 1700s, we all came from humble beginnings and we've all worked hard, and our ancestors have worked hard, to form this country, wherever we came from. We've all come from all parts of the world to form the greatest country in the world.

This poem began running on radio and in print as a public service on January 1, 1967, and continued throughout the year. The poem "I am a Canadian" is a blank verse poem which talks about the people who forged our nation. It begins with the primitive hunters who crossed the Bering Isthmus from Asia looking for game and it concludes with the hope that Canada as a country may always have peace and bring it to others. It ends with a declaration, "May it always be a proud thing to say: I am a Canadian."

I read this poem in conclusion of my remarks in an effort to tell you and those who are watching this debate why I am supporting Yes and why I urge all of you to support Yes.

"I am a Canadian

"I am the primitive hunter who first crossed the Bering Isthmus from Asia. I came seeking game, and never knew what I had really found. I am the lonely explorer who ventured the edges of a new world. I am the people of coast and plain whose history was forgotten before the invention of History.

"I am the Norsemen who sailed beyond Iceland at the time of the Crusades. The men who returned home, not with Saracen plunder, but with stories of a land past the sea.

"I am the Renaissance navigators who came in search of gold and empire, and who discovered a deeper, more difficult wealth. I am the priests and peasants uprooted from the old world and replanted in the new as a pledge and a hope.

"I am the strip farmers, the trappers, the traders who pushed back the curtain on this green and untried continent. I am the men who roamed and mapped and settled, the men who left their sons to the future, and the men who left only their graves.

1710

"I am the steady men who sowed and reaped, who built lasting foundations. I am the impatient men who fought with guns and pens for politics for self-determination. I am the indomitable men who wouldn't be stopped as they hammered together a nation.

"I have walked this land, ridden, driven, flown and paddled across her millions and more millions of miles. I have blasted her rocks, channelled her waterways, survived her snows. I have run my hands over her face, searching out the strengths and beauties and moods of my country. She is rich, wild, potent.

"I came from all the world, and come yet. I came for freedom, and brought freedom with me. I came in hope, and brought fulfilment. I came to exploit, and stayed to develop. I gave myself in barter for what I sought. In measure as I have made Canada what she is, she has formed me to her own needs. Her breadth and openness have infused me, have given me a firmer step and a farther look in the eye.

"I am not the Average Canadian. There are no average Canadians, and this is my country's glory. It is the surest measure of her freedom to be a nation of individuals, people who are Canadian by nature rather than by decree.

"I am a Canadian, and I am deeply myself. For this privilege I give thanks to my country. May she never falter, and may she never swagger. May she realize her potential without losing her character. May she have peace, and may she give it. May it always be a proud thing to say:

"I am a Canadian."

The Acting Speaker: I thank the honourable member. Further debate?

Hon Karen Haslam (Minister of Culture and Communications): At this historic moment in the life of Canada, I am proud to stand before you and state that on October 26 I will vote Yes to the proposed constitutional agreement. I will vote Yes with my heart and I will vote Yes with my head, as a Canadian who believes that the Charlottetown accord is good for the future of the country I love.

Let me speak from the heart first. I believe that the Charlottetown accord gives us a Constitution that is a living document, helping us to define who we are today, identifying our fundamental characteristics as Canadians.

As a feminist, I believe that it is the Constitution I want for my children and for their future, a future in which the

equity of men and women will no longer be open for debate.

I believe the accord recognizes the value of all our men and women from every background and every region of the country. At the same time, it achieves the near impossible. It also respects and addresses our individual needs and goals. The meeting place of these two principles forms the spiritual core of the new constitutional agreement. From my heart, I will say Yes on October 26. From my head, I will also say Yes.

I've spent time carefully looking at how the accord impacts on areas of particular concern to me, such as arts and culture and telecommunications in Ontario. I am very pleased with the deal we have.

First, the ongoing role of the federal government in cultural matters is clearly spelled out. That role is understood to lie in the area of legislation, policy and program development in all cultural matters at a national level.

Second, the new Constitution recognizes the important role played by provincial governments in support of culture.

Third, any bilateral agreements between the federal and provincial governments or any recognition of provincial powers will not prevent the federal government from a leadership role in national cultural matters, nor will they alter the federal fiduciary responsibility for aboriginal peoples.

In short, the respective roles of the federal government and the provinces are both strong.

The provinces have exclusive jurisdiction over cultural matters, but only within the provinces. This is an important point. The constitutional amendment will in fact recognize the continuing responsibility of the federal government in Canadian cultural matters. This will mean that the federal government will maintain its responsibility for designing the structure for national cultural policy.

The autonomy of national cultural institutions, like the CBC and the Canada Council, is secure. Under no circumstances would the ability of these agencies to provide financial assistance or other services to arts organizations or the cultural industries be affected by the agreement.

On the telecommunications side, in the present Constitution no level of government is given authority in this area. Often, both the federal and provincial governments have been involved and court decisions have been reducing the involvement of provincial governments. The new Constitution includes a commitment by the federal government to negotiate agreements in order to harmonize federal and provincial regulations and give the provinces a specific role in the development of this important, strategic economic area.

I began my remarks by speaking from the heart and I'd like to close in the same way. This has been a difficult time for all Canadians. As we've struggled to create a new Constitution, a great symbolic document reflecting the spirit of the country, we've also been faced with a severely troubled economy, devastating unemployment, environmental crisis and many other problems.

In the area I represent, people want to know that their elected representatives are addressing these immediate problems and helping to arrive at viable solutions. It's time

we accepted the Charlottetown accord for what it is: an excellent, well-constructed, empowering document that provides a strong framework from which we can create laws governing our behaviour and molding our future. As politicians and stewards working on behalf of Canadians' best interests, it's time we shifted our focus away from negotiating the minute details of this document to tackling the crucial problems of the day.

I will vote Yes on October 26 because I believe in my heart that the Charlottetown accord reflects the spirit of Canada today and has the potential to bring the country together.

I will vote Yes on October 26 because I believe that the deal is the best possible one for culture and communications in Ontario, removing the initial threat of total devolution of culture to the provinces.

I will vote Yes on October 26 to a document that will endure longer than any political party will be in office and my Yes vote will have nothing whatever to do with support for the current government in Ottawa. There will be another opportunity to cast a ballot regarding that subject.

I will vote Yes on October 26 because it's time to turn our attention to solving our economic and social problems while there still is time.

I will vote Yes on October 26 because it's the right thing to do.

The Acting Speaker: I wish to thank the honourable minister for her participation. Further debate. L'honorable député de Prescott et Russell.

M. Poirier : Vous ne serez pas surpris d'apprendre que le 26 octobre, je me ferai un plaisir de voter Oui.

C'est évident que l'entente n'est pas parfaite, mais soyons réalistes. Regardons l'histoire. L'entente parfaite n'a jamais existée, elle n'existe pas et elle n'existera jamais. C'est impossible. Au meilleur, une entente constitutionnelle, peu importe le pays, peu importe l'événement, c'est quelque chose qui est un compromis. Mais, lorsqu'on regarde le chemin que nous avons fait au Canada depuis bien avant 1867, l'entente de Charlottetown est un compromis des plus honorables et j'y souscris. Mais je vous rappelle que c'est un compromis.

Vous savez, ceux et celles qui veulent voter Non ou qui sont peut-être indécis ont souvent tendance, comme les Canadiens et les Canadiennes en général, à oublier un peu l'histoire, à ne pas comprendre l'importance de la très longue série de négociations constitutionnelles et à oublier la participation des anglophones, des francophones, des gens des premières nations à la construction de ce noble pays. Lorsque j'entends des justifications que l'on donne pour voter Non, ça m'attriste parce que je vois que plusieurs des soi-disant arguments sont basés sur des points qui ne colent pas vraiment la réalité, pour ne pas dire autre chose.

1720

On lit des articles, on entend des nouvelles à la radio et à la télé. Malheureusement, on peut goûter au fiel de certains journalistes et éditorialistes contre la francophonie québécoise et hors Québec. On n'a qu'à penser aux éditoriaux et aux articles du Toronto Sun, qui ne se gênent

pas pour planter la francophonie à gauche et à droite, mais tant pis.

Soyons constructifs. Laissons-les de côté et concentrons sur l'aspect positif de l'entente de Charlottetown. C'est beau de se pencher sur la situation d'ailleurs : la situation du Québec, les francophones du Nouveau-Brunswick, les Acadiens, mais qu'est-ce qui arrive aux francophones de l'Ontario ? Vous savez bien que les francophones de l'Ontario ont dit Oui globalement à l'entente de Charlottetown, lorsqu'ils se sont rencontrés la fin de semaine passée justement pour discuter de la position à prendre face à l'entente de Charlottetown.

Qu'est-ce qui arrive à la communauté ? Où s'en va-t-on ? On vient d'où ? Vous savez, ceux et celles qui croient à l'avenir de la francophonie ont toujours eu, ont, et auront toujours à se battre, à débattre, à défendre, à expliquer, à corriger, à justifier, à promouvoir etc. Utilisez le verbe qui vous convient le mieux ; notre combat sera toujours là. Mais je pense que nos chances sont de notre côté en disant Oui à l'entente de Charlottetown.

Je voudrais donner un coup de main à notre premier ministre, M. Rae, qui semble être affligé d'un cas d'amnésie, et peut-être volontairement. Mais à titre de Franco-Ontarien, à titre de député, je veux lui donner un coup de main et lui rappeler quelque chose. Je me souviens que Statistique Canada a dit très clairement, il n'y a pas trop longtemps, qu'en dépit de tous les gains, qu'en dépit de toutes les lois, qu'en dépit de toutes les belles paroles, qu'en dépit des promesses, l'assimilation chez les francophones hors Québec était toujours galopante. Quand on dit «galopante», on y va par quatre chemins. Donc, en dépit de toutes les bonnes intentions, les bonnes paroles, les budgets etc, Statistique Canada admet que l'assimilation est toujours galopante. Ça me dit très clairement qu'il y a encore beaucoup de chemin à parcourir. Donc, je veux aider à mon premier ministre, parce que je me souviens également que la communauté franco-ontarienne attend toujours une réponse, un signe de vie, un engagement, un attachement du premier ministre et de son parti envers cette communauté.

Rappelez-vous, Monsieur le premier ministre. Je me souviens de cette célèbre résolution dans la Chambre des communes en novembre 1981 que mon collègue d'Ottawa-Est vous a bien lu en Chambre il y a quelques minutes, où vous disiez que la situation de la communauté franco-ontarienne était une question urgente, que c'était un dossier juste et que la Chambre des communes devait modifier la résolution constitutionnelle pour amener l'Ontario à respecter les articles 16 à 20 et 22 de la constitution canadienne.

Rappelez-vous ça, Monsieur le premier ministre. Si vous ne vous le rappelez pas, mon collègue le député d'Ottawa-Est et moi, on se fait un honneur de vous le rappeler. On vous fait une faveur. Rappelez-vous vos engagements.

Je me souviens que vous aviez fait l'engagement de rendre l'Ontario officiellement bilingue. Je me souviens de votre engagement à faire adhérer l'Ontario aux articles 16 à 20, votre grand désir. Je me souviens de votre promesse de respecter l'article 23 en ce qui a trait à la

gestion scolaire, et je me souviens de votre promesse de considérer un sénateur franco-ontarien ou une sénatrice franco-ontarienne pour le Sénat. Je me souviens de tout ça.

Je me souviens de la campagne électorale de 1990. Vous le rappelez-vous, mon cher collègue d'Ottawa-Est ?

M. Grandmaître : Je m'en souviens.

M. Poirier : Vous rappelez-vous les questions de l'ACFO posées aux trois leaders des partis politiques qui se présentaient et qui faisaient une course pour gagner l'élection de septembre 1990 ? Vous rappelez-vous le sondage de l'ACFO provinciale demandant aux trois leaders d'expliquer leurs positions respectives face au bilinguisme officiel ? Je me rappelle, comme vous, mon cher collègue, la réponse de l'ancien premier ministre Peterson. Mais je me souviens également l'attaque en règle du premier ministre outragé par, selon lui, la lenteur de M. Peterson à amener le bilinguisme officiel.

Vous rappelez-vous les paroles de M. Rae ? «Si je deviens premier ministre, soyez certains que je vais l'amener, le bilinguisme officiel en Ontario.» Vous rappelez-vous ? Et quelques mois plus tard, lorsque l'accident de parcours s'est produit et que M. Rae a été choisi comme premier ministre et que les journalistes lui ont rappelé sa promesse en lui reposant la même question que celle de l'ACFO, je n'oublierai jamais que M. le premier ministre Rae s'était servi des mêmes paroles que celles de M. Peterson pour expliquer comment ça ne se faisait pas, à ce moment-ci, justification par-dessus justification.

Il avait beaucoup mieux patiné que tout patineur de fantaisie, beaucoup mieux que Brian Orser, beaucoup mieux que Toller Cranston —

Une voix : Barbara Ann Scott.

M. Poirier : Barbara Ann Scott. Si M. Rae s'était présenté aux Olympiques, il aurait eu trois, quatre, cinq médailles d'or pour son patinage artistique en ce qui a trait à la communauté franco-ontarienne. J'en suis certain.

Je me souviens aussi que le ministre délégué aux Affaires francophones n'a pas encore fait une seule déclaration en Chambre au sujet de la francophonie. Je me rappelle également que ce député, qui est également le ministre des Transports — On voit partout dans ma circonscription et chez vous, mon cher collègue, des panneaux unilingues anglais décrivant les grands travaux du ministère des Transports. Voilà le progrès, c'est superbe.

Je me souviens également que l'ACFO est sortie les mains vides à la suite d'une rencontre récente avec le premier ministre, lorsqu'on lui a demandé de traduire ses belles paroles en gestes concrets. Je me souviens de toutes mes discussions au cours des deux dernières années auprès des groupes communautaires qui m'ont décrit la tiédeur croissante de ce gouvernement envers la communauté franco-ontarienne.

Je me souviens de son discours d'hier, du premier ministre au sujet de l'accord de Charlottetown, où il disait regretter le manque de volonté des signataires à inclure des clauses chères à ces nombreuses causes célèbres et sociales. Bien, moi, je lui pose la question : Mon cher

premier ministre, où est votre propre volonté d'agir au sujet de la communauté franco-ontarienne ?

You know, the Charlottetown accord is by far the best way to go, by saying Yes. It's not perfect. There never was a perfect entente. There never is. There never will be. Lots of emotions run high, the Yes and the No, but when I hear some of the justifications for voting No and when I hear that some of the history is really distorted—for example, you wouldn't believe the number of persons I've talked to recently who had "forgotten" that Quebec had not signed the patriation of the Constitution in 1982; not 1882 but 1982, just a short 10 years ago.

We've seen sometimes that by letting emotions fly, we forget the perspective of the history of this country. How regrettable that is. When we understand what was said, what was agreed to, what was signed, through all the different ententes through time that resulted in the creation and the maintenance of this country, people are all shocked; they can't believe what they hear. We must not forget to distinguish between the facts and the opinions.

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The francophone community in Quebec, the francophone community outside of Quebec, and the anglophone community outside of Quebec and inside of Quebec have a distinct aspect. The first nations, the immigrants from other countries, other languages: We're all distinct. But what has made the creation of this country unique is the distinct nature of Quebec that was recognized from day one by even the British government way back then. We are distinct. That is not a threat to Canada.

I was recently in Luxembourg in Europe for AIPLF, the International Assembly of French Language Parliamentarians. We seem to have a hard time understanding how to work with two official languages in this country. The students that come out of high schools in Luxembourg have to speak five languages. I've talked with parents and I've talked with politicians and I've talked with young people from Luxembourg, and it's not a problem. Imagine the richness, the five extra keys to the world. Vive la différence. In our culture, what is different is an enrichment; it's not a threat.

Quebec got something, the east got something, Ontario got something, the first nations got something, the west got something, and they all left some things behind. But that is part of negotiations in a family. Let's have a cold, hard look at it. Everybody stands to win by doing it together. It's not hard to see that where there's a will, there's a way. I'm a fourth-generation Franco-Ontarian. I am proud to be an Ontarian. I belong here. I've lived here. My family is here and we want to stay here.

I tell my anglophone colleagues: Join hands with me, build this country together. Think of the positive aspects of two languages officially and many others, colours, religions, men, women, boys, girls, together; this is what makes the richness of this country, the world's best, according to the United Nations.

Ce n'est pas facile de vivre sa francophonie au Canada, au Québec ou hors Québec. Nous avons des collègues anglophones dans cette pièce et ailleurs qui ont compris, qui acceptent, qui nous tendent la main d'égal à égal, qui

voient que d'avoir des francophones à leur côté comme vous, comme moi, comme mon collègue d'Ottawa-Est ce n'est pas une menace. On ne coûte pas plus cher ; on n'est pas une gêne ; on n'est pas des paragraphes d'extra dans la constitution, dans la charte. Nous sommes là pour vivre comme frère et soeur. On est capable de le faire, nous le sommes et nous le serons.

J'appuie l'entente de Charlottetown. Je vais voter Oui. J'invite tous mes concitoyens, toutes mes concitoyennes à voter Oui. Le travail ne sera jamais complété. Il y aura toujours du travail à faire pour améliorer, corriger, étudier constamment, et que les gens l'acceptent. Ce n'est pas anormal ; c'est normal et c'est souhaitable. Comme tout notre travail parlementaire, il va continuer pendant longtemps. Nous allons débattre pendant longtemps, mais au fur et à mesure que nous allons débattre, que nous allons présenter des projets de loi, l'Ontario et le Canada de mieux en mieux seront meilleur.

J'ai apprécié avoir eu l'honneur de faire ce discours. Je vous remercie de m'avoir écouté et je remercie mes collègues de tous les côtés de la Chambre pour leur appui et leur compréhension. J'espère que ce gouvernement-là va continuer à s'éveiller et à donner une place aux Franco-Ontariens, pour que nous puissions sortir de notre situation actuelle, de ce mutisme du gouvernement envers les francophones de l'Ontario.

Le Président suppléant (M. Noble Villeneuve) :
Merci, Monsieur le député, de votre participation.

Further debate?

Mr Drummond White (Durham Centre): It is with great pleasure that I rise to offer support to the Charlottetown accord. It's an agreement that deserves our study and our respect. I am particularly impressed with the social charter part of the accord, and I would like to speak for a little bit of time on that charter, the social and economic union.

It's an addition to our Constitution. It's an addition that's unusual for us because it doesn't resemble any part of the American constitutional experience, so I think it's worthwhile exploring what it will mean for us.

As Canadians and Ontarians we've enjoyed a standard of living that is second to none in the world. I would suggest that a significant part of that richness in our lives and in our communities has been due to the high standard of our public and our governmental services. Such services as education, health care and environmental protections help to sustain, enrich and enhance our quality of life.

Both our quality of life and those services are now threatened by economic factors that are well beyond our immediate control here in our Legislature and, frankly, in our province. We now have the first generation in our country's history where the elderly are perhaps better off than their children will be. The standard of living which effectively doubled in a generation is now holding still, or even declining. Ontarians are worried when they see these threats to the services they have paid for and grown used to. We are worried that our children will not have those services that we have paid for and that we have taken for granted. We want to preserve those services and those

values, despite the devastation that a federal government or a free trade deal may threaten.

As a provincial government, we are likewise faced with a real challenge. We're maintaining the basic services that are described in the social charter in the most difficult financial times since the Great Depression. We're doing everything we can to maintain a steady state. A social charter may not mean much in good times. In times of good revenues and a buoyant economy, there would seemingly be little hardship in maintaining health or social services. But now, with revenues falling and decisions becoming harder and harder, we have to examine what is essential. We have to look at those services that we offer to ensure that those which are essential are preserved, and we have to maintain and to build upon that core.

I believe that the social union, the social charter, speaks to those basic values. Like the Canada clause, it speaks to what we are as Canadians. Both the Canada clause and the social charter speak to a balance of social and individual rights. As Canadians, we include the unique rights of all parts of our community. We include the needs of linguistic minorities, of both women and men, of the disabled and the socially disadvantaged. As a result, we have become a stronger and richer nation.

The free trade deal, and now the North American free trade deal, threatens some of those social and collective strengths. In Europe they have a social charter, which is an essential part of their common market. Europeans realized that without a social charter, economic pressures would produce a diminution in the quality of their lives. Thus they made social and educational programs as integral to the European economic community as is the free movement of goods and services.

We don't have such protections in our arrangements with the United States and Mexico, nor do we have any protections for our environment. The statements that we have

in the social charter are standards that the government of Canada must adhere to. They didn't in negotiations with the United States or with Mexico, but now, at least with the provincial governments, they must adhere to them.

These charter statements will not offer perfect protections, but they are an important first step. These issues are no longer up for debate; instead, they are firmly stated.

Let me just look at those statements briefly. They state that health care should be comprehensive, universal, portable, publicly administered and accessible, values that we here in Ontario hold dear and that were at one point enshrined in federal law.

We talk in the charter about social supports, reasonable access to housing and food and education at the primary and secondary level, the rights of workers to organize and to bargain collectively, and we talk about protecting, preserving and sustaining the integrity of our environment. Those are basic value statements. There's nothing problematical about them, but they have never before been stated in this kind of way.

I think these are the kinds of values that make this charter, the Canada clause and the social charter—these statements—worth our support. They say who we are as Canadians. Social policy is not just an alternative to 19th-century charity. Social policy and the social charter are part of a movement from a resource-based economy to a knowledge-based economy. We're moving into the 21st century, where our investments in people, in children, in education, are now more important than our investments in huge capital-intensive properties.

I want to encourage you to examine this new part of our Constitution. I think it's a good statement of some of the basic values that we, as Canadians, all share, and I think it's one of the reasons that we need to vote Yes on October 26.

[Report continues in volume B]

**LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor/Lieutenant-gouverneur: Lt Col The Hon/L'hon Henry N. R. Jackman CM, KStJ, BA, LLB, LLD

Speaker/Président: Hon/L'hon David Warner

Clerk/Greffier: Claude L. DesRosiers

Clerk Assistant and Clerk of Committees/Greffier adjoint et Greffier des comités: Smirle Forsyth

Clerk Assistant and Clerk of Journals/Greffier adjoint et Greffier des journaux: Alex D. McFedries

Sergeant at Arms/Sergent d'armes: Thomas Stelling

Constituency	Name of member	Party	Other responsibilities
Algoma	Wildman, Hon/L'hon Bud	ND	Minister of Natural Resources, minister responsible for native affairs/ministre des Richesses naturelles, ministre délégué aux Affaires autochtones
Algoma-Manitoulin	Brown, Michael A.	L	Chair, standing committee on general government/ Président du Comité permanent des affaires gouvernementales
Beaches-Woodbine	Lankin, Hon/L'hon Frances	ND	Minister of Health, minister responsible for the substance abuse strategy/ministre de la Santé, ministre responsable de la Stratégie de prévention de la toxicomanie
Brampton North/-Nord	McClelland, Carman	L	Vice-Chair, standing committee on general government/ Vice-Président du Comité permanent des affaires gouvernementales
Brampton South/-Sud	Callahan, Robert V.	L	
Brant-Haldimand	Eddy, Ron	L	
Brantford	Ward, Brad	ND	parliamentary assistant to Minister of Industry, Trade and Technology/adjoint parlementaire du ministre de l'Industrie, du Commerce et de la Technologie
Bruce	Elston, Murray J.	L	opposition House leader/ chef parlementaire de l'opposition
Burlington South/-Sud	Jackson, Cameron	PC	Chair, standing committee on estimates/ Président du Comité permanent des budgets des dépenses
Cambridge	Farnan, Mike	ND	Vice-Chair, standing committee on the Legislative Assembly/ Vice-Président du Comité permanent de l'Assemblée législative
Carleton	Sterling, Norman W.	PC	
Carleton East/-Est	Morin, Gilles E.	L	Deputy Speaker and Chair of the Committee of the Whole House/ Vice-Président et Président du Comité plénier de l'Assemblée législative
Chatham-Kent	Hope, Randy R.	ND	parliamentary assistant to Minister of Community and Social Services/adjoint parlementaire du ministre des Services sociaux et communautaires
Cochrane North/-Nord	Wood, Len	ND	parliamentary assistant to Minister of Natural Resources/ adjoint parlementaire du ministre des Richesses naturelles
Cochrane South/-Sud	Bisson, Gilles	ND	parliamentary assistant to Minister of Northern Development and Mines, parliamentary assistant to minister responsible for francophone affairs/adjoint parlementaire de la ministre du Développement du Nord et des Mines, adjoint parlementaire du ministre délégué aux Affaires francophones
Cornwall	Cleary, John C.	L	
Don Mills	Ward, Margery	ND	parliamentary assistant to Minister of Government Services/ adjointe parlementaire du ministre des Services gouvernementaux
Dovercourt	Silipo, Hon/L'hon Tony	ND	Minister of Education/ministre de l'Éducation
Downsview	Perruzza, Anthony	ND	parliamentary assistant to minister responsible for the greater Toronto area/adjoint parlementaire de la ministre responsable du Bureau de la région du grand Toronto
Dufferin-Peel	Tilson, David	PC	
Durham Centre/-Centre	White, Drummond	ND	Chair, standing committee on regulations and private bills/ Président du Comité permanent des règlements et des projets de loi privés
Durham East/-Est	Mills, Gord	ND	parliamentary assistant to Minister of Municipal Affairs/ adjoint parlementaire du ministre des Affaires municipales
Durham West/-Ouest	Wiseman, Jim	ND	parliamentary assistant to Minister of Revenue/ adjoint parlementaire de la ministre du Revenu
Durham-York	O'Connor, Lawrence	ND	parliamentary assistant to minister responsible for the substance abuse strategy/adjoint parlementaire de la ministre responsable de la Stratégie de prévention de la toxicomanie
Eglinton	Poole, Dianne	L	
Elgin	North, Hon/L'hon Peter	ND	Minister of Tourism and Recreation/ ministre du Tourisme et des Loisirs
Essex-Kent	Hayes, Pat	ND	parliamentary assistant to Minister of Agriculture and Food/ adjoint parlementaire du ministre de l'Agriculture et de l'Alimentation
Essex South/-Sud	Mancini, Remo	L	Chair, standing committee on public accounts/ Président du Comité permanent des comptes publics

Constituency	Name of member	Party	Other responsibilities
Etobicoke-Lakeshore	Grier, Hon/L'hon Ruth A.	ND	Minister of the Environment, minister responsible for the greater Toronto area/ministre de l'Environnement, ministre responsable du Bureau de la région du grand Toronto
Etobicoke-Humber	Henderson, D. James	L	
Etobicoke-Rexdale	Philip, Hon/L'hon Ed	ND	Minister of Industry, Trade and Technology/ ministre de l'Industrie, du Commerce et de la Technologie
Etobicoke West/-Ouest	Stockwell, Chris	PC	
Fort William	McLeod, Lyn	L	Leader of the Opposition/chef de l'opposition
Fort York	Marchese, Rosario	ND	parliamentary assistant to the Premier, parliamentary assistant to Minister of Intergovernmental Affairs/adjoint parlementaire du premier ministre, adjoint parlementaire du ministre des Affaires intergouvernementales
Frontenac-Addington	Wilson, Hon/L'hon Fred	ND	Minister of Government Services/ ministre des Services gouvernementaux
Grey	Murdoch, Bill	PC	
Guelph	Fletcher, Derek	ND	parliamentary assistant to Minister of Consumer and Commercial Relations/adjoint parlementaire de la ministre de la Consommation et du Commerce
Halton Centre/-Centre	Sullivan, Barbara	L	
Halton North/-Nord	Duignan, Noel	ND	Chair, standing committee on the Legislative Assembly/ Président du Comité permanent de l'Assemblée législative
Hamilton Centre/-Centre	Christopherson, Hon/L'hon David	ND	Minister of Correctional Services/ministre des Services correctionnels
Hamilton East/-Est	Mackenzie, Hon/L'hon Bob	ND	Minister of Labour/ministre du Travail
Hamilton Mountain	Charlton, Hon/L'hon Brian	ND	Minister of Financial Institutions, Minister of Energy/ ministre des Institutions financières, ministre de l'Énergie
Hamilton West/-Ouest	Allen, Hon/L'hon Richard	ND	Minister of Colleges and Universities, Minister of Skills Development/ministre des Collèges et Universités, ministre de la Formation professionnelle
Hastings-Peterborough	Buchanan, Hon/L'hon Elmer	ND	Minister of Agriculture and Food/ ministre de l'Agriculture et de l'Alimentation
High Park-Swansea	Ziemba, Hon/L'hon Elaine	ND	Minister of Citizenship, minister responsible for human rights, disability issues, seniors' issues and race relations/ministre des Affaires civiques, ministre déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales
Huron	Klopp, Paul	ND	parliamentary assistant to Minister of Agriculture and Food/ adjoint parlementaire du ministre de l'Agriculture et de l'Alimentation
Kenora	Miclash, Frank	L	opposition deputy whip/whip adjoint de l'opposition
Kingston and The Islands/ Kingston et Les Îles	Wilson, Gary	ND	parliamentary assistant to Minister for Skills Development/ adjoint parlementaire du ministre de la Formation professionnelle
Kitchener	Ferguson, Will	ND	parliamentary assistant to Minister of Transportation/ adjoint parlementaire du ministre des Transports
Kitchener-Wilmot	Cooper, Mike	ND	parliamentary assistant to the Solicitor General; deputy government whip; Chair, standing committee on administration of justice/ adjoint parlementaire du Solliciteur général, whip adjoint du gouvernement, Président du Comité permanent de l'administration de la justice
Lake Nipigon/Lac-Nipigon	Pouliot, Hon/L'hon Gilles	ND	Minister of Transportation, minister responsible for francophone affairs/ministre des Transports, ministre délégué aux Affaires francophones
Lambton	MacKinnon, Ellen	ND	Vice-Chair, standing committee on regulations and private bills/ Vice-Présidente du Comité permanent des règlements et des projets de loi privés
Lanark-Renfrew	Jordan, W. Leo	PC	
Lawrence	Cordiano, Joseph	L	Vice-Chair, standing committee on public accounts/ Vice-Président du Comité permanent des comptes publics
Leeds-Grenville	Runciman, Robert W.	PC	Chair, standing committee on government agencies/ Président du Comité permanent des organismes gouvernementaux
Lincoln	Hansen, Ron	ND	Chair, standing committee on finance and economic affairs/ Président du Comité permanent des finances et des affaires économiques
London Centre/-Centre	Boyd, Hon/L'hon Marion	ND	Minister of Community and Social Services, minister responsible for women's issues/ministre des Services sociaux et communautaires, ministre déléguée à la Condition féminine
London North/-Nord	Cunningham, Dianne	PC	Progressive Conservative chief whip/ whip en chef du Parti progressiste-conservateur
London South/-Sud	Winninger, David	ND	parliamentary assistant to the Attorney General, parliamentary assistant to minister responsible for native affairs/ adjoint parlementaire du Procureur général, adjoint parlementaire du ministre délégué aux Affaires autochtones

Constituency	Name of member	Party	Other responsibilities
Markham	Cousens, W. Donald	PC	Progressive Conservative deputy House leader/ chef parlementaire adjoint du Parti progressiste-conservateur
Middlesex	Mathysen, Irene	ND	parliamentary assistant to Minister of the Environment/ adjointe parlementaire de la ministre de l'Environnement
Mississauga East/-Est	Sola, John	L	
Mississauga North/-Nord	Offer, Steven	L	
Mississauga South/-Sud	Marland, Margaret	PC	Vice-Chair, standing committee on estimates/ Vice-Présidente du Comité permanent des budgets des dépenses
Mississauga West/-Ouest	Mahoney, Steven W.	L	opposition chief whip/whip en chef de l'opposition
Muskoka-Georgian Bay	Waters, Daniel	ND	parliamentary assistant to Minister of Tourism and Recreation/ adjoint parlementaire du ministre du Tourisme et des Loisirs
Nepean	Daigeler, Hans	L	Vice-Chair, standing committee on social development/ Vice-Président du Comité permanent des affaires sociales
Niagara Falls	Harrington, Margaret H.	ND	parliamentary assistant to Minister of Housing/ adjointe parlementaire de la ministre du Logement
Niagara South/-Sud	Coppen, Hon/L'hon Shirley	ND	Minister without Portfolio, chief government whip/ ministre sans portefeuille, whip en chef du gouvernement
Nickel Belt	Laughren, Hon/L'hon Floyd	ND	Deputy Premier, Treasurer of Ontario and Minister of Economics/ vice-premier ministre, Trésorier de l'Ontario et ministre de l'Économie
Nipissing	Harris, Michael	PC	leader of the Progressive Conservative Party/ chef du Parti progressiste-conservateur
Norfolk	Jamison, Norm	ND	parliamentary assistant to Minister of Industry, Trade and Technology/du ministre de l'Industrie, du Commerce et de la Technologie
Northumberland	Fawcett, Joan M.	L	
Oakville South/-Sud	Carr, Gary	PC	
Oakwood	Rizzo, Tony	ND	
Oriole	Caplan, Elinor	L	
Oshawa	Pilkey, Hon/L'hon Allan	ND	Solicitor General/Solliciteur général
Ottawa Centre/-Centre	Gigantes, Hon/L'hon Evelyn	ND	Minister of Housing/ministre du Logement
Ottawa East/-Est	Grandmaître, Bernard C.	L	
Ottawa-Rideau	O'Neill, Yvonne	L	
Ottawa South/-Sud	McGuinty, Dalton J.P.	L	
Ottawa West/-Ouest	Chiarelli, Robert	L	
Oxford	Sutherland, Kimble	ND	parliamentary assistant to Minister of Colleges and Universities; Vice-Chair, standing committee on finance and economic affairs/ Vice-Président du Comité permanent des finances et des affaires économiques, adjoint parlementaire du ministre des Collèges et Universités
Parkdale	Ruprecht, Tony	L	
Parry Sound	Eves, Ernie	PC	Progressive Conservative House leader/ chef parlementaire du Parti progressiste-conservateur
Perth	Haslam, Hon/L'hon Karen	ND	Minister of Culture and Communications/ ministre de la Culture et des Communications
Peterborough	Carter, Jenny	ND	parliamentary assistant to Minister of Citizenship/ adjointe parlementaire de la ministre des Affaires civiles
Port Arthur	Wark-Martyn, Hon/L'hon Shelley	ND	Minister of Revenue/ministre du Revenu
Prescott and Russell/ Prescott et Russell	Poirier, Jean	L	
Prince Edward-Lennox-South Hastings/ Prince-Edward- Lennox-Hastings-Sud	Johnson, Paul R.	ND	parliamentary assistant to the Treasurer of Ontario and Minister of Economics/adjoint parlementaire du Trésorier de l'Ontario et du ministre de l'Économie
Quinte	O'Neil, Hugh P.	L	
Rainy River	Hampton, Hon/L'hon Howard	ND	Attorney General/Procureur général
Renfrew North/-Nord	Conway, Sean G.	L	Deputy Leader of the Opposition/chef adjoint de l'opposition
Riverdale	Churley, Hon/L'hon Marilyn	ND	Minister of Consumer and Commercial Relations/ ministre de la Consommation et du Commerce
S-D-G & East Grenville/ S.-D.-G. & Grenville-Est	Villeneuve, Noble	PC	Second Deputy Chair of the Committee of the Whole House/ Deuxième Vice-Président du Comité plénier de l'Assemblée législative
St Andrew-St Patrick	Akande, Zanana	ND	parliamentary assistant to the Premier/adjoint parlementaire du premier ministre
St Catharines	Bradley, James J.	L	opposition deputy House leader/chef parlementaire de l'opposition
St. Catharines-Brock	Haeck, Christel	ND	government whip; Vice-Chair, standing committee on the Ombudsman/ whip du gouvernement, Vice-Présidente du Comité permanent de l'ombudsman
St. George-St. David	Vacant		

Constituency	Name of member	Party	Other responsibilities
Sarnia	Huget, Bob	ND	parliamentary assistant to Minister of Energy; Vice-Chair, standing committee on resources development/ adjoint parlementaire du ministre de l'Énergie, Vice-Président du Comité permanent du développement des ressources
Sault Ste Marie/ Sault-Sainte-Marie	Martin, Tony	ND	parliamentary assistant to Minister of Education/ adjoint parlementaire du ministre de l'Éducation
Scarborough-Agincourt	Phillips, Gerry	L	
Scarborough Centre/-Centre	Owens, Stephen	ND	parliamentary assistant to Minister of Financial Institutions/ adjoint parlementaire du ministre des Institutions financières
Scarborough East/-Est	Frankford, Robert	ND	
Scarborough-Ellesmere	Warner, Hon/L'hon David	ND	Speaker/Président
Scarborough North/-Nord	Curling, Alvin	L	opposition deputy whip/whip adjoint de l'opposition
Scarborough West/-Ouest	Swarbrick, Anne	ND	
Simcoe Centre/-Centre	Wessenger, Paul	ND	parliamentary assistant to Minister of Health/ adjoint parlementaire de la ministre de la Santé
Simcoe East/-Est	McLean, Allan K.	PC	Vice-Chair, standing committee on government agencies/ Vice-Président du Comité permanent des organismes gouvernementaux
Simcoe West/-Ouest	Wilson, Jim	PC	
Sudbury	Murdock, Sharon	ND	parliamentary assistant to Minister of Labour/ adjointe parlementaire du ministre du Travail
Sudbury East/-Est	Martel, Hon/L'hon Shelley	ND	Minister of Northern Development and Mines/ ministre du Développement du Nord et des Mines
Timiskaming	Ramsay, David	L	
Victoria-Haliburton	Drainville, Dennis	ND	First Deputy Chair of the Committee of the Whole House/ Premier Vice-Président du Comité plénier de l'Assemblée législative
Waterloo North/-Nord	Witmer, Elizabeth	PC	
Wendland-Thorold	Kormos, Peter	ND	Chair, standing committee on resources development/ Président du Comité permanent du développement des ressources
Wellington	Arnott, Ted	PC	
Wentworth East/-Est	Morrow, Mark	ND	Chair, standing committee on the Ombudsman; Vice-Chair, standing committee on administration of justice/ Président du Comité permanent de l'ombudsman, Vice-Président du Comité permanent de l'administration de la justice
Wentworth North/-Nord	Abel, Donald	ND	government whip/whip du gouvernement
Willowdale	Harnick, Charles	PC	
Wilson Heights	Kwinter, Monte	L	
Windsor-Riverside	Cooke, Hon/L'hon David	ND	Minister of Municipal Affairs, Chair of the Management Board of Cabinet and government House leader/ministre des Affaires municipales, président du Conseil de gestion du gouvernement, et chef parlementaire du gouvernement
Windsor-Sandwich	Dadamo, George	ND	parliamentary assistant to Minister of Culture and Communications/ adjoint parlementaire de la ministre de la Culture et des Communications
Windsor-Walkerville	Lessard, Wayne	ND	parliamentary assistant to Chair of the Management Board of Cabinet/adjoint parlementaire du président du Conseil de gestion du gouvernement
York Centre/-Centre	Sorbara, Gregory S.	L	
York East/-Est	Malkowski, Gary	ND	parliamentary assistant to Minister of Citizenship/ adjoint parlementaire de la ministre des Affaires civiques
York Mills	Turnbull, David	PC	Progressive Conservative whip/whip du Parti progressiste- conservateur
York North/-Nord	Beer, Charles	L	Chair, standing committee on social development/ Président du Comité permanent des affaires sociales
York South/-Sud	Rae, Hon/L'hon Bob	ND	Premier, President of the Executive Council, Minister of Intergovernmental Affairs/premier ministre, président du Conseil des ministres, ministre des Affaires gouvernementales
Yorkview	Mammoliti, George	ND	parliamentary assistant to Minister of Correctional Services/ adjoint parlementaire du ministre des Services correctionnels

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Wednesday 14 October 1992

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Mercredi 14 octobre 1992



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 14 October 1992

[Report continued from volume A]

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CONSTITUTIONAL AGREEMENT ENTENTE CONSTITUTIONNELLE

Continuing the debate on government notice of motion number 16.

Mr Alvin Curling (Scarborough North): I wanted to prepare a text to be delivered on what I would say is one of the most important times in the House of Parliament that I may be able to spend, the most important time for Canadians or anyone else, and what an experience it is for me. But as I tried to write a text I found I was caught up in a certain emotion that by writing it would restrict me in some sense. So I'm going to speak from the point of view of how I see Canada and how I came to love Canada, my country.

I have been given the best opportunity that anyone could ever have: elected, able to go across this province or across this country, as a cabinet minister, as someone who has been appointed to serve on the select committee on Confederation in Ontario, and able to see Canadians from different walks of life in their homes, in their territories, at work, and able to hear Canadians as they themselves expressed what it means to them.

What a moment, what a time in our history, when we are writing the document, a Constitution that will reflect all the aspirations, or as many aspirations as possible, of those people in our land.

Many of the speakers who have spoken here today have defined what a constitution is all about. A constitution, as we know, is a document written by the people, for the people, and when that document is written, each one of us must be able to look in that document and say to ourselves: "I can see myself reflected there as a part of it. That's me."

Are people looking for that perfect document that reflects them and defines them in its entirety? I would say no, I don't think they're doing that. I don't they think it's possible that this can happen. They're looking to make sure that they are included.

I know for years and years, decades, that the attempt to write a Constitution for Canada has been attempted, and in some respects they said, "It's not good enough. It's not able to reflect the people of Canada." As we grow as a country and as we attract different people coming to this wonderful country of ours, it becomes more complex because people's aspirations and expectations change and their contribution to our country may be slightly different than those who came here 25, 30 or 40 years ago. Therefore, we must go back and work on that document, work to make sure that all the people of Canada are reflected there.

One of the best ways I can illustrate this to my colleagues here is that I was not born in Canada. My children were born here. Yet Canadian as they are in every way,

those who came and those who were born here, they are still asked at times when they are seen, "Where are you from?"

When they were quite young, it was hard for them to say, "What does it mean, Dad, about where am I from?" I told them, "Davisbrook Boulevard in Scarborough." They said: "No, no, no. Where were you born?" They said, "Canada." They said, "No, no, no. Where are your parents from?" They said, "Jamaica," and so, "Oh, you are from Jamaica." Therefore, they were confused about that.

I tried to assist them in my own little way. When they came back and asked me, "Dad, how should I deal with this?" I said, "What you should then ask them is where they're from." It's quite possibly Canada and where their parents are from quite possibly is Canada. Then maybe where their grandparents are from is quite possibly Scotland, Ireland or Australia, and so it's, "Oh, so you are Australian."

That in itself tells us that people want to see themselves a part of Canada, and there's a risk with that. Today they probably understand where people are coming from, so we have a responsibility to that diverse culture of ours, diverse colour and diverse languages, to say we are Canadians and to assert ourselves. So a constitution itself, a document that is written for all the people, when they're looking in it, must be able to say: "Ah, I see myself in there. I see myself reflected."

Should we trust those who have written that document? I say that the democratic process tells us that, yes, we can. I say that there's no way that 26 million people can sit down and write the document, so we have an electoral process to say, "Let's come forward then and select and elect a couple of people whom we call first ministers or whatever to sit down, because they were elected by the people to reflect the needs of the people." So when that document is drawn, you must basically first have that trust in that process, go into it having trust in the democratic process. It's not perfect, but we do have that trust in that democratic process to say they come forth to present what the people are saying to them.

Is there any way there could be any errors in that collection of people? Yes, there could be. We have seen it. We have seen the neglect of the representation of women as they sat and talked, that these people who have come forward have not been sensitive enough to realize that their process does not recognize women playing an equal and important role in Canada.

Is there a possibility of Canadians who are considered visible minorities being omitted from that process? Yes, because the first ministers quite possibly were not women. I'm not saying you have to be a woman to be sensitized to women, but sometimes it helps somehow, if you are a woman, to bring perspective there; or if you're a visible minority or speak a different language, to bring that sensitivity, because somehow the majority sometimes controls.

I'm saying there are errors in this document, and lots of errors. People have described that it's like buying a home and the frame, and what we are voting on is to say, "Should we proceed in building that home?" I'm saying to the writers, I'm saying to the elected individuals, I'm saying to those who are reading this document, not absolute trust in the sense that, "Go ahead and build the way you can." They build homes where there is no access for the disabled. That's why we have doorknobs that are round. Maybe some people don't have the grip to go inside; no sensitivity at all that somehow access means more than to just say it is unlocked: but can we get in?

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To those who are voting Yes, I'm telling them that Yes is the way to go. It's not an absolute fact that it's all over. It's all up to you and our politicians and the writers to go ahead, to make sure that in the frame of that house there is a room for all who come, there is a room and a bedroom that is defined, and I can feel comfortable there and not intimidated by the huge building, feeling that I'm not a part of that.

I felt that as a human being when I was elected here. I know when I walked into this place, somehow it was, "Am I a part of this?" There was the intimidation of this huge building and the history that is here that does not reflect any part of the role that the visible minority played. Was that a deliberate omission? Could be, or maybe just insensitivity to the fact that others contribute to this country. I see pictures on the walls of this place. Does it reflect Canada? Does it reflect the true people? I would say no.

Do we trust those who write the final document? I'm saying to an extent, that we should monitor that. Therefore, as we say Yes to this, be careful of what we're saying Yes to. Or are we saying No? Be careful of what we say No to.

I have a criticism of those who have come forward and said Yes and then told everyone else who says No that they are misguided. How dare they think that people who are saying No are misguided. These are intelligent people who are taking their time, who wish to study the document to find if they're there. Usually, if someone says to you, "Sign here," you say no. You say no because you have not the full understanding of that document. You don't say, "Yes, I will sign." You usually say no, and then immediately, "How dare you say no." I dare the people to say No until they have read it and feel comfortable that they can see themselves in that. So I say to those Yes committees that are saying Yes to Canada, "Sure, who will not say Yes to Canada, this beautiful country, so we can all be able to help steer that destiny?"

Many of us who are voting today and those who are influencing and coercing those to say Yes are much older than those who will bear the burden and the responsibility of Canada. When we are saying Yes, make sure we are saying Yes to the young people who will take on those liabilities and debts that many of us as senior citizens are incurring, to make sure that my children, who are black, will be able to say, "I walk proud in Canada," and will not ask, "Where are you from?" so that when we write that document, we feel comfortable and we can find ourselves a part of Canada.

It is rather coincidental that this year it is 500 years since Columbus, a very adventurous, bold, daring individual, lost as he was. As you know, he was so lost, Mr Speaker—and I won't get into that—that he found the West Indies and thought they were India and what have you. At schools, we're asking questions there about when one discovers and who he found and realize that history starts then.

Today this country, Canada, has decided that the best way we can go ahead is to first recognize all of us, our first nations people, who have built this country and have formed their own government, to recognize too that they themselves can have their own self-government; nothing wrong with that at all. The maroons in Jamaica, who had beaten the Spanish out and beaten the British, have formed their own government, and what happened? There is no frightening thing about that today. They have their own self-government there, governing without any intimidation.

I welcome the fact that we in Canada have seen that we can talk about giving people rights to govern and not be frightened about it. It's a fearful thing about power. We don't like to give it up if we have it all. That's what happened to South Africa and that's what happened here. That's what happens to men who control this place without giving to women. That's what happened to those whom we regard as disabled and not functioning in that kind of society. But we must think, as human beings, that this country's for all of us, black, white, yellow, Spanish, French, Italian and the many, many languages that are spoken here that enrich our country.

I would like to speak just a little bit about the other two nations that we talk about, the francophones and the anglophones, and within all those, to say to the francophones that if you feel that francophones are those with ancestors from France and not from Haiti or from Senegal or from anywhere else, and say, "We're just asserting ourselves as a distinct society for the francophones from France, with ancestors from France, and later on we will deal with the Haitians and the Senegalese and all the other black French countries," that is wrong, because many today in Quebec are telling themselves, "We feel so very lost about ourselves as a people in Canada."

For the anglophones too who see themselves only as with ancestors from England, the others who are here contributed to this great country. We must be able to look into the document, a Constitution written by the people who were elected and for the people. That "for the people" is there, because somehow they are still asking questions. The clock is ticking away whether we say Yes or No.

I am not one who really believes that if one votes Yes, an entire country has gone to doom, and whether Quebec, as they say, or a portion of Quebec says No—that is, the majority—then it's all over for Canada. I don't think it will. I hope somehow, as I said, that people have gotten the experience I have gotten, and I am sure we can't.

As I was given the opportunity to travel around the world and declare myself proudly as a Canadian, to say, "Canada, a country that as we see it, welcomes all and gives each other a chance to demonstrate and to express themselves as Canada and play a role there in Canada."

We have a responsibility not only to the people we are elected by, but we have a responsibility as elected individuals to take this document and explain it to our constituents in every walk of life. What we have come to realize as we got elected in the constituency, area or riding is that our constituencies are much beyond the boundaries of whether it is Scarborough North—a kind of microcosm, as a matter of fact, in my riding of all the people and nations, from Chinese and Japanese and Haitians, and many from India, from Pakistan—I could go on and on. But we have a responsibility as elected individuals to take this document and say to them, “It is a document for you, written by those in a democratic, elected process, and if you do not see yourself reflected here, let us know.”

There are consequences, of course, of any action we take. There are consequences when you elect me as an individual, or you, Mr Speaker, or anyone else. But in the meantime, we have the responsibility to listen in order that the consequences not be borne by the people in a way that they bear the brunt more severely and we not distribute all the responsibility. Just like debts: We know that if we cannot pay our debts and accumulate all those debts, we pass them down to our children.

1800

In any country, we have laws. Those laws are mostly written for those who overpower others without any discretion. One of those laws I’m talking about is one which previous governments, the Conservative and Liberal governments wrestled with, and now the New Democratic Party, dealing with human rights and access to jobs and opportunities of employment equity. Those are written because people in power who have excluded others are not able and willing—I think they are quite able; it doesn’t seem they want to open the doors for those others. So we form laws and build bureaucracies to do that, and the reason is that other people do not see them as inclusive.

If this document does not reflect that, I say to all those out there, reject it, because this is the moment. Go back again and write it. It cannot be perfect, but it must lead to a road where one would feel extremely confident that, “Those I have elected are building a framework, a house, within which I can find a room not only for myself but for my children, regardless of colour, regardless of class, regardless of creed.”

It is so important, these critical days we have. If I had the power I would charge my colleagues here not to be so overpowering: “Say Yes or you’re dumb. Say Yes or you’re misguided. Say Yes or you’re unpatriotic.” What it has done is put them and us together.

Pierre Trudeau, one of the great scholars and great leaders, a great Prime Minister of this country, has his views and has, rightfully so, expressed his views. Gorbachev today has his passport seized and his movements are restricted within a country. Why? He can hardly express what he wants to express there. Here we can do that. That’s democracy, and that’s why I love this country and that’s why Pierre Trudeau should speak, so we can see the other side. That’s the beauty of our country. He is no fool—we know that—and he’s not unpatriotic. As a matter of fact, others were saying No, but when he said his No it

was a different No, and it allows the Yes people to start thinking.

There’s an old way of buying things when the commercials are heavy on you and all the rhetoric is happening. You feel it is the most beautiful car, if it is a car they are selling, that “I must buy it, because with the things it does and the way they describe it, it’s a must that I buy this car.” But the best way to go about this, if you don’t want to be fooled by the rhetoric and the adjectives, is to turn the voice down, turn the propaganda off and leave the picture on. Then, having a closer look, if you’re still sold, buy it; go out and buy the car.

I say turn the politicians off, take the document and look at it. “Do I see myself? Am I protected here? Do I have confidence in the way things will go?” Get rid of the rhetoric. Get rid of the debates of the Bob Raes and the Lyn McLeods and the Pierre Trudeaus and the Mike Harris and, now that the document is written, sit down, go through it carefully. If there are questions in it that you’d like to ask, go forward to them and say, “I have this.” The noise and the rhetoric should be behind you, because it is so important, as we walk and assert ourselves in this country, that we find our place.

It’s painful to watch the genocide that happened to our native people, as they lose their land and they lose their language and their religion has been destroyed and mimicked. It is painful to watch the francophones and the Québécois, who fight for their rights and say, “Language is important to me, and this is a part of Canada and I want to demonstrate my way in Canada,” to reach this stage of debate and say, “Go back,” and it goes back. Meech Lake wasn’t the first time they turned it back, as we know. I’m sure we’d say Charlottetown is a better document, that we have sat down and debated that to see if it’s there.

Is it perfect? As I said, no, it’s not perfect. Will it be perfect? No, it will never be perfect. That’s why we have Parliament, and that’s why we change laws as people change and aspirations change and directions change, and as we soon take away powers from certain people because they have not done so very well. So it will not be perfect.

I say to you it is a country we must protect, and a country is more than just the minerals and the ground. It’s the people’s dream, the people’s aspiration, and that dream is not only with us. That dream must be able to be reflected in our children, and we must have the foresight to think about our children’s children, whether they can walk this road. Will they be seen as Canadians, regardless of colour, regardless of class?

I should tell the Parliament that as I have gone around and spoken to many of the visible minority groups, they have concerns and they want explanations. When they do come forward and ask you, take the time to say, “Let me assist you to identify, if you have not done so, the role you can play, and tell me your concerns.”

Let me tell you too that the document and the legal part may not reflect exactly what you think is here in the same words. I know; I have had the experience, as I said when I started, to be a cabinet minister in the government and to take bills through. Once we make a statement and then put it in law, how different it looks. I always wondered why. It

is because of the way interpretation goes about; protections have got to be there, to be built in. Of course, we go to the courts after we have a debate to find out: Is it there? Am I protected?

Therefore, as we look at this document first and then look at the laws that are written, we really do need people to assist us. That is why we need those, and I put trust in the elected process.

Another of the concerns that some of the visible minorities raised is the portion about elected Senate. "Elected Senate" confuses me too, because in one portion it says it's an elected Senate, but it basically says it can be elected by Parliament or by the people at large. Some people are saying: "Why didn't it go right up front? We thought an elected Senate would have been elected by all people." I'm having a hard time convincing people about you, Mr Speaker, saying that you are elected here; that you have been elected by the members and that's a different elected process. It's a better process than an appointment within here, because then we all, as members here, do that election. But people had that impression, that an elected Senate would mean the people at large.

They also asked me to bring forth whether Ontario will have a Senate completely elected by the people, or is it a portion where Bob Rae has stated that he has to guarantee women in the Senate? That guarantee itself tells me somehow that it will not be a Senate elected by all the people. It seems to me, in order to have representation of women—that's my interpretation—that they may have to do so. Those things need to be explained, and those things in themselves concern the visible minorities. I'm not speaking on behalf of the visible minorities; I'm speaking from my experience, too, as a visible minority.

1810

Don't feel in any way, I would tell my colleagues, that visible minorities are looking only for visible minority play in here. They are looking to see themselves in all areas: in areas as they interact with aboriginal people; in areas of linguistic communities as a whole; in areas of the Senate; in areas where the Supreme Court would deal with everyone; in areas of the House of Commons. In other words, they are seeing themselves as a part of Canada.

It's an important document. It's an important time in our history. Please, I urge you, in explaining this document to the people, to allow them the opportunity to understand it and not be intimidated. They really feel threatened. I was very confident that a Yes vote would have won. As soon as the overpowering Yes came about, people were backing off. I would love to see Canada together. I would hate that people are voting against this because they feel intimidated by the pressure being placed on them.

I just want for a few moments, and I know that our time here is short, to talk about personalities and the messenger who carries this. I'm very proud at the moment in this House that we find that all parties are coming together in order to bring forth this document. Many people are saying to me, "I want to vote against this document because I don't like the people who are carrying the message." That's the only part I criticize. Please don't make a

judgement because of the messenger, but because of the content of it.

I don't for one moment feel that this is a Brian Mulroney document. I don't for one moment feel that this is a Bob Rae or David Peterson document. I feel it's a document put together by all parties and all the people who have gone out basically to all parts of this country to get the feelings of the people and their impressions, and they've put that together.

If you don't like it, you vote against it. But to vote against it because of the messenger is a terrible and a fatal mistake because the whole fact is that even if you vote No, you will still have Brian Mulroney until the election. If you vote against Bob Rae, you still have Bob Rae to contend with for a couple more years. Or if you vote No for Lyn McLeod, you still will have her and all the other politicians. Don't vote because of that personality, but because of the content of this document.

It's not a partisan line that I speak. I speak as a Canadian who feels that this is extremely important to put that behind us, the personality game. It's a better way to come about this. This country, Canada, is a beautiful country. I strongly believe it will be together whether it is Yes or it is No. That's not the issue. I strongly believe that of course if it is a No, some of the investors may feel, "I want stability, so I'm going to go elsewhere." I also strongly believe that if they do go, the fibre of people who believe in more than the dollar in their pocket, really, and believe in a quality of life, will continue to go on.

In other words, one should never be intimidated by all the rhetoric. Turn the noise down and watch the pictures and the facts as you see them there. See yourself in that car, as I said, if you were going to buy that car. Don't let them tell you how nice it drives, how beautiful it is. See that it's there. Because if we don't have that, later on we will wonder what is it we said Yes or No to.

I was in Quebec about two weeks ago and I did not see the kind of fear that some people feel that Quebec, being a distinct society, will be alienated from us. I see a love and a passion for the love of their life and their way of life and I see a way that they want to assert themselves, as all of us want to assert ourselves, in society. We must speak loudly.

I spoke at an organization there with black people. I encouraged those who are there who do not speak French to learn the language, because when you're a part of a system it's good to understand the language, so you can communicate. It is incumbent on those too to understand those who may seem different, because in that difference itself we will build a better Canada. We'll build a Canada which is beautiful today or we'll build a better Canada, a Canada that in its way has demonstrated around this world that it is a great place to be from and a great place to be at.

What an opportunity for us to participate here. I want to tell you how happy I am to have been given this opportunity, because millions of people in this province haven't got that opportunity. I don't think I can do justice to the feeling and the passion they feel about Canada, but I'll make an attempt to do so. I hope that my talk somehow will bring to you a feeling of an area that some of us are

not able to be, that, as the women speak and the native people speak, I bring that.

I believe strongly that Canada will be together whether we say Yes, whether we say No, but if we don't participate in this democratic process at all, Canada will be a place worse off, because democracy is great and one of the best ways to see any government. Canada, I love you.

The Speaker (Hon David Warner): I thank the honourable member for Scarborough North for his contribution to the debate.

Mr Tony Rizzo (Oakwood): I rise in the House tonight to say a clear Yes to the Charlottetown accord and the constitutional amendments deriving from it. I'm not a constitutional lawyer; neither would I suggest that I know better than the academics and opinion makers who expressed very competent opinions about the accord, but as a Canadian citizen and as a member of the provincial Parliament of Ontario I feel I have to explain why I took such a position.

At this point in the national debate, I think everyone is more convinced than ever that the agreement is not perfect. We must not forget, though, that it is the result of the effort of human beings. How could it be perfect?

Constitutions are often asked to represent the soul of a country, and as countries change, so must their constitutions. Perhaps this is why it took so long to renew ours. It is extremely difficult to entrench in one document all the aspects of the Canadian mosaic. This is one reason for my Yes.

It took so many years, so many negotiating processes, so many meetings, and now, finally, we have succeeded. We have an agreement. I do not want to use the word "miracle," but it must be recognized that the representatives of the different governments who gathered in Charlottetown have been able to accomplish something that ever eluded their predecessors: unanimity.

1820

I am not saying that governments know better, and the Canadian people should have no say in the constitutional issue and blindly follow their leaders. Our leaders did recognize the importance of the voice of the people by calling the October 26 referendum on the accord. What I'm saying is that this compromise is the first of its kind. It is not perfect, but it is the beginning of a new chapter in our history. We Canadians, by voting Yes, must give this new chapter a chance.

My second reason to vote Yes is a partisan one. I am a New Democrat. How can I disregard the fact that four NDP premiers were part of these negotiations? Their role around the table assures me that the ideals which I believe in are entrenched in the Constitution.

First, and most important, the social charter: This represents a first step towards recognizing those individual rights which New Democrats, and before them members of the CCF, fought a very, very long time for: the right to medicare; to a healthy environment; to decent housing; to education, all rights which should have found a place in our Constitution, and they will, because they are part of this agreement.

[Remarks in Italian]

The certainty of law is the first requisite of any jurisprudence. Without that, legality could not exist, and the Constitution represents the call of that certainty. It is up to the courts, though, to interpret the law according to the different demands coming from the society, as the Supreme Court often did with reference to the Charter of Rights and Freedoms.

A constitution must be a concrete, unequivocal document to provide a certainty of law, and flexible, because it will be applied by different generations to different historic conditions.

I do understand most of the criticism of those considering a No vote. Many interest groups accuse those who negotiated the accord of having left them out. The only thing I can tell them is to be very, very cautious, because it is always too easy to criticize the effects without knowing the causes, and how can they possibly know that the Charlottetown accord will not protect them without giving it a chance.

More to the point, though, they should bear in mind a simple fact before attacking the Constitution. A constitution is not made to serve the interests of single-interest groups. A constitution is made to serve the general interest of the whole national polity. General interest will always be of a higher order than single interests of particular groups, and the sum of all the single interests is not ever the general interest.

The Constitution must speak for all of us together. The Charlottetown accord tries to accommodate the interests of many groups but never loses sight of the general interest of Canada. Perhaps some of the naysayers should remember that their constituency interest is important, but Canada comes first.

Finally, let me wrap it up by saying that a Yes to the Charlottetown accord is an act of faith in the future of Canada. I made an act of faith towards Canada almost 30 years ago when I left my home country. On October 26 all Canadians are called to demonstrate their commitment to Canada with an act of faith in its future. I will be proud, by voting Yes, to make this act of faith for the second time in my life.

The Speaker: I thank the honourable member for Oakwood for his contribution to the debate and recognize the member for Cochrane South.

Mr Gilles Bisson (Cochrane South): Obviously the news has been given that Canada does include the World Series, as it might seem at this point. I saw that in a little ad to the baseball game a little while ago and I thought it was appropriate.

I don't want to take up a lot of time. I just want to start this off so that people who are viewing understand that obviously, because government members are more numerous than the opposition members, we have limited time to speak on this particular issue. Most government members have about 10 minutes to be able to get on to the agenda and to speak in the House in regard to the Constitution. I'm at a little bit of a loss because I really would like to say a couple of things and I would like to say them again in French, and I'm going to try to keep this as quick as possible.

The first thing I want to talk about is that before we get into this debate and people are able to understand what the Constitution is all about, I think people need to understand, first of all, what a Constitution is. There has been a lot of debate around this whole thing because, I feel, people who have come to the constitutional debate are really looking at the Constitution to be a lot more than what it actually is. So first of all let's ask the question, what's a constitution?

A constitution happens to be a document which sets out the basic rules and policies by which Parliament is governed. It sets up the relationship of Parliament itself and how Parliament relates to those various legislatures across our land in the 10 provinces and the territories.

The other thing a constitution is supposing to do is to set a framework by which our courts are able to interpret the decisions that Parliament makes. If a citizen feels that he or she has somehow been done wrong by a law that has been passed by the federal Parliament or a provincial Legislature, then the Constitution gives him or her the right, because of the Charter of Rights and Freedoms, to be able to go to the courts and to say, "I feel that I've been done wrong."

There have been a number of instances since the Charter of Rights and Freedoms has been put into the Constitution when people, citizens of this country, have taken their governments to court because they've ruled on the constitutionality of the actual law that was passed forward by the Legislature or by the House of Commons.

An example is the decision in regard to advertising around cigarettes. A federal Parliament passed a law saying you couldn't advertise tobacco within the media of Canada, and the tobacco companies basically brought the federal government to court. The Supreme Court decided that indeed it was unconstitutional and that the federal government had to change its laws.

I say that because what people need to understand, in short, is that the Constitution is basically a framework by which our parliaments work, by which we relate to other legislatures, and also on the question of the rights and privileges given to Parliament. In the end, because of the Charter of Rights and Freedoms, it gives us, the citizens of the country, access to the courts if we disagree with a particular thing that has been done by the federal or provincial governments, and if so, if it's found unconstitutional, to our charter.

I guess, put simply, what a constitution is, it's basically a framework, it's basically a sketch. It's much like the artist who starts to paint a picture and paints a sketch on canvas before he or she starts to make the painting. The idea of the sketch is to give the painter an idea as he progresses along the actual steps of doing the painting, so that at the end, when he employs all the oils on to the canvas and he fleshes them out with his brushes, it looks similar to what his sketch was. That's all the Constitution is: It's a sketch.

1830

The problem in this debate is that a lot of people have come to the constitutional argument around coming to constitutional committees and such and have seen the Constitution as being much more than that. They've seen the

Constitution as being a document that can redress all of the past, present and future grievances that they may have with this nation. The reality of that is that this is what legislation is for. If we're talking about issues from day care to geriatrics, those issues are best dealt with under legislation, not the Constitution.

What this has done, because people have seen the Constitution as much more, as being able to address all of their grievances, is raise an unreal expectation as to what can actually be accomplished through our Constitution. If we hear a lot of the rhetoric of the No side going around the country today, it's playing on those sentiments. People out there in this nation, including myself and you, Mr Speaker, feel that there are laws that are there that are unjust and do not treat us fairly. But the No side is going out there and raising those unrealistic expectations as to what the Constitution can do. If you measure the constitutional accord agreed to in Charlottetown or our present Constitution to those kinds of expectations, you can't hold them up together. I think people may need to make that separation.

The second thing I think we need to know, coming into this debate, is that we also have to understand the history of our Constitution and understand the history by which we repatriated the British North America Act in 1981.

Many Canadians will know there was something called the British North America Act, but they will not understand what the relationship of the BNA Act was to us as citizens. Prior to 1981, there was no such possibility for a citizen of this country to challenge the laws of Parliament. No citizen could take his government to court to say that the law was unconstitutional, because the BNA Act was a Constitution that was written up at the time and resided in Westminster in England that basically said: "These are the relationships of Parliament. These are the relationships within the Parliament and the legislatures." It didn't give us, the average citizens of this country, an ability to go to court and be able to challenge our government when it came to that law.

For 50 years, governments tried to deal with that question. Since the 1930s, they've been out there advocating, trying to find a way of getting the provinces to come together with the federal government to finally find a way of including average Canadians in the Constitution and giving them rights, because the BNA Act fell far short of what a Constitution should be.

In 1981, the final attempt, the then Prime Minister, Pierre Elliott Trudeau, managed to get the Constitution repatriated to Canada, but he did so at a price, because if we look at our history, there were eight holdout provinces in Canada, eight out of 10 provinces, including Quebec, that said No, that they didn't want to repatriate the BNA Act under conditions that were not favourable to the provinces, because all those provinces felt that their needs and aspirations as provinces were not going to be redressed by what Mr Trudeau was proposing.

People fixating on Quebec need to understand this whole notion. It was not only Quebec that felt that; it was seven other provinces in this country. What happened was that Mr Trudeau tried to force the issue to get the provinces on side. What ended up happening was that the provinces

at that time felt there was a constitutional right to a veto. Each province in 1981 under the British North America Act felt that it had a veto, that the federal government or anyone could not make changes to the BNA Act or even repatriate it unless it had agreement on the part of all 10 provinces. That was thought because of convention and because of past practice and tradition within the Parliament of Canada when it came to the question of the Constitution.

What ended up happening was that Mr Trudeau went to the Supreme Court of Canada and challenged and said, "I have the right as a Prime Minister to be able to go to repatriate the Constitution on my own," and in a surprise decision, the Supreme Court agreed with that view. What that did was give Mr Trudeau a hammer, and the hammer was that unless the provinces came to the table, he would repatriate on his own. He didn't want to do that to a certain extent because he understood that with eight holdout provinces he would pay a political price.

I say that because Mr Trudeau has been critical of this whole process we have gone through now, in 1992. His particular tactics in 1981 were putting a hammer to the provinces, and if we feel somewhat angry towards Mr Trudeau at this point, it's because of that. We understand what he did in 1981.

What he managed to do is he managed to get seven of those eight provinces to agree to repatriate provided that they gave the provincial governments a veto through the amending formula, that if there was an amending formula put in the Constitution that allowed seven provinces to come together, representing at least 50% of the population, it would be enough to stop the federal government if it ever decided to do this again.

That was the concession Mr Trudeau gave to the provinces in order to repatriate and Quebec walked from the table because it still felt then that it had not gotten what it had asked for at the constitutional table. and it never came back.

I don't have enough time, but the point I'm getting at is that the reason we are negotiating a Constitution today is because we have never addressed the fundamental question of how the Constitution relates to the parliaments of the provinces of this country. Quebec has never accepted—along with other provinces, I would say—what the federal Constitution does in regard to the parliamentary relationship between the federal government and the provinces.

The other point that needs to be made, in summation, is that Quebec in all of its aspirations and negotiations around the Constitution never got a concession from the federal government. Not once in all of the years in the negotiations around the Constitution did Quebec get anything. This notion of Quebec—as Mr Trudeau says, "You go there and you give them more and they want more and they'll take more"—that whole thing, got really clouded.

I wish I had another 20 minutes to go through this. Unfortunately, I don't. I want to end this statement by saying this is a constitutional agreement that's been agreed to by all 10 provinces, the territories and the aboriginal people. It has never happened before. We have a good deal. People should take the time to read the constitutional agreement reached in Charlottetown and they will come to

the conclusion that this is a good deal for us as Ontarians and as Canadians. With that, I urge people to vote Yes. Votiez Oui le 26 octobre durant le référendum du Canada.

The Speaker: I thank the member for Cochrane South for his contribution to the debate and recognize the member for Lake Nipigon.

Hon Gilles Pouliot (Minister of Transportation and Minister Responsible for Francophone Affairs): I too echo the sentiment of all members of this House in being afforded the opportunity to say a few words about the historical vote, the referendum vote, that will take place, as we all know as Canadians, on October 26.

Pourquoi ce référendum ? Pourquoi est-il nécessaire, de temps à autre, de renouveler notre constitution ? Chez nous, comme vous le savez, elle date de plus de 125 ans. Une constitution, c'est un document vivant. Eh bien, elle a vieilli.

Bien sûr, il y a eu quelques changements au fil des ans, mais le temps est maintenant venu, sous les auspices de l'accord de Charlottetown, pour nous, Canadiens, de se pencher sur un nouveau document qui va nous permettre à regarder l'avenir avec une confiance accrue.

L'accord de Charlottetown est un document issu de générosité. C'est aussi un document qui émane de compromis. Tout le monde qui a participé, tous ses participants, bien sûr, ont évolué à part des compromis. Personne n'est retourné chez elle ou chez lui avec tout ce qu'il ou elle voulait avoir. C'est impossible dans un compromis. Dans la famille qui est le Canada, à la table des négociations, à cette table du Canada, il faut faire des compromis. C'est aussi la beauté de la diversité.

Il faut aussi savoir se reconnaître, en tant que Canadiens, dans ce document. Bien sûr, certains croiront qu'on aurait dû et qu'on aurait pu obtenir encore plus pour sa paroisse. Vous aurez même certains et certaines employant un système de démagogue. Ceux qui représentent les idées d'antan, qui croient moins que nous à cette flexibilité, qui reconnaissent moins que le texte actuel est un peu périmé — il est désuet — ne représentent pas ou représentent moins les aspirations des Canadiens.

Vous savez, pour ceux qui voudraient mener un peu une guerre de guérilla, pour ceux qui diraient, «Je vais me chercher un prétexte, une raison pour voter Non», bien oui, c'est facile. On n'a qu'à regarder ces 30 ou 32 pages de l'accord de Charlottetown, cette entente et se dire, «Eh bien, je n'aime pas ceci ; j'aurais aimé avoir encore plus, ou je ne veux pas accorder à mes frères et mes sœurs canadiens et canadiennes leur place sous le soleil.» La collectivité, vous savez, c'est comme la charité. Ça commence par soi-même.

1840

L'histoire du Canada est une de compromis, de générosité et de reconnaître l'aspiration de tout le monde dans cette diversité. Qu'on passe à travers le dossier de l'autogestion chez les autochtones à celui de la reconnaissance que le Québec — vous savez, le Québec parle français en majorité — cette société en-dedans du Canada se doit de se doter des outils qui lui permettent et lui permettront de protéger ses droits, de promouvoir sa culture. C'est une situation normale. C'est un élément, un

sentiment que l'on se doit, que l'on se veut pour soi-même et bien sûr pour ses voisins.

C'est surtout dire que le 26, quand nous devons nous prononcer, on nous invite à regarder ce document dans cet ensemble et à nous rappeler que cette famille de Canadiens et Canadiennes a obtenu, pour la première fois, l'unanimité. Ils se sont regardés, ils ont regardé les autres et ils nous disent que l'alternative n'existe pas, parce qu'il faudrait alors tout recommencer.

On est partis de loin. Vous vous souvenez, comme nous tous, des années du rapatriement de cette constitution. Mon collègue le député de Timmins l'a souligné. Vous vous souvenez sans doute du référendum au Québec en 1982, et de l'anxiété que cela avait produit au pays.

Eh bien, nous en sommes à la troisième heure. Pour la troisième fois on nous demande encore une fois, et Dieu sait ; Dieu est témoin de l'anxiété économique qui hante le pays, que les gens de l'extérieur, ces investisseurs, la communauté globale mondiale nous dit : «On vous surveille. Soyez à l'écoute.» Certains iront jusqu'à dire qu'ils comprennent mal notre attitude vis-à-vis du bon sens.

Ceci est la meilleure entente. Aujourd'hui, en ce jour d'octobre, en cette veille du référendum, alors que l'on vogue vers notre destin en tant que nation, c'est la meilleure entente possible.

In conclusion, others would like to be afforded the same opportunity to say a few words. Holistically I too believe you look at the package and resist the temptation—for it is too easy and I don't wish to impute motive. It doesn't apply here. It is far too important. Nor should, in my humble opinion, people spell the days of apocalypse should the agreement be rejected. We live in a democracy. We respect people and people's opinions.

Many of us here have had the opportunity to look long and hard at the agreement and have concluded that this is the best agreement that a round table—Canada's table, a table for Canada—could possibly arrive at in the spirit of compromise and generosity.

I only wish, in conclusion, that each and every day in this not only vast and magnificent land but in this blessed land, we take a moment to look at ourselves and hopefully see in ourselves what other people see in us. Then collectively not only would we begin to understand but, more importantly, we would be most thankful for having the opportunity many of us share in the sentiment that we are the luckiest, most fortunate people in the world. But we have little merit, for most of us in this House were born here. The rest was relatively easy, and in recognition of the opportunities that are presented us, I will look forward to the 26th, because I know that after the 26th, should a Yes prevail, the golden age will indeed descend upon us.

The Speaker: I thank the honourable member for Lake Nipigon for his contribution to the debate.

Ms Jenny Carter (Peterborough): I'm going to vote a wholehearted Yes to this Constitution and a wholehearted No, to change the government when it comes to the federal election.

I'm deeply concerned by the growing evidence that many Canadians plan to vote No, although this of course is

their right. Issues which really are distinct are becoming confused due to a general feeling of dissatisfaction in the country at this time. Canadians are fortunate to have a chance to vote Yes for what is probably the best federal Constitution anywhere in the world. This is not a Mulroney deal.

I had the honour of being on the select committee on Ontario in Confederation and I know we did a thorough job. People in all parts of the province were able to meet directly with the committee and put their own points of view. There were extensive hearings in Toronto and a conference was held in October 1991. The committee also travelled to other provinces and met with other groups that had been sounding out opinions in their own jurisdictions.

Although there was agreement on many points, it became very clear that different views on such issues as the nature of the Senate and on how Quebec should be accommodated would have to be balanced out in the final agreement, and that, I believe, is what has happened.

The final agreement was not produced by the federal government. It resulted from the interaction of 17 participants who came primed with the consensus of their own province, territory or nation. Nobody got everything they wanted; nobody caved in.

1850

I'm particularly proud that some suggestions made by Ontario were included, because I know that Ontario's input was very much relevant to the welfare of Canada as a whole, rather than being regionally or politically partisan.

The select committee on Ontario in Confederation, comprised of members of all three parties, was a model of harmony, and party differences played a very small role. Bigotry of whatever stripe was noticeably absent.

Our Premier and Minister of Natural Resources played a very statesmanlike part in the reaching of the accord. It was with a sense of real achievement that those who had been involved in the process viewed the final text.

Why do we now see such a strong trend towards a No vote? Obviously, no one thinks the accord is perfect, but those who criticize must remember that if one detail is to be changed, other adjustments might have to be made which they would not agree with. It is amazing that we have managed to get unanimous agreement on a document that has as many good points as this one does. The chance of negotiating a better unanimous agreement is slim. We have self-government as an inherent right for native people, we have a social charter that makes basic provision for us all and a Canada clause that guarantees respect for individual and collective human rights and freedoms.

Some groups have complained that they did not receive specific mention, but there is danger in listing specific groups. The list would have to be very long before everyone felt included.

The lack of specific detail on aboriginal self-government makes great sense, because this is something that has to evolve over time.

The accommodation with Quebec is predictably a bone of contention, but has Quebec received too much or too little? Did Bourassa cave in or did he get away with far too much? Quebecers are being told one thing, British

Columbians another. This suggests that the deal has it about right.

Trying to satisfy every objection can lead to an overloading of the agreement. The goals and the objectives, including justice for the disabled and the disadvantaged, will only be achieved through future hard work and dedication and future political choices, whatever the Constitution says. There is nothing in this document that detracts from any of these goals. I firmly believe that to reject this agreement because of such supposed deficiencies will make justice and fairness less attainable in this country in the long run, not more so.

I don't normally side with bankers, but I do agree when they say that a No vote, by prolonging uncertainty or even hastening Canada's breakup, will lead to even worse economic times than those we are experiencing already. It would be a real reason for investors to put money elsewhere or to move jobs away. A sudden economic breakdown helps nobody.

I also agree with those who say that a breakaway by Quebec would be an economic disaster for all of us. It would lead to endless wrangling. How much territory would Quebec take with it? How much of the national debt? How viable would a separate currency be? What would be the cost of running a separate country? Would Canada continue to have a major role in world affairs? And so on.

However, the main point I want to make is that voters who are voting No are taking on the wrong enemy at the wrong time. There is no catch to the constitutional deal for those who love Canada, but there's an enormous catch in the international deals by which Mulroney is giving away the democratic rights of the people of this country. We could pass our Constitution only to find that Canadian electors have been left with a sham, an empty form of government and no ability to do all the wonderful things that the people of this country want so much.

I was disappointed that this province did not proceed with the NDP agenda on auto insurance because that scheme might have been blocked by the terms of the free trade agreement. This would have alerted the people of Ontario to the predicament we're in. We have lost some control over our economy. We have lost some control over our energy supplies. We're losing environmental safeguards such as the exclusion of imported foods which have been treated with pesticides that are banned in Canada. Our water supplies are compromised. It's not an issue now, but it could be a time bomb. We can no longer protect our industries and farms through the tariffs that brought them prosperity in the first place.

The whole concept of nationhood is brought into question by the free movement of capital around the world and global competition for jobs, made possible by modern communications and other technology. How can we make sure that public decision-making powers, which were earned through struggle and were never supported by the rich and powerful, will not be eroded as we collectively become a cheap workforce and a cheap supplier of goods to the few who succeed in becoming very rich?

Canadians need to stay together, to work collectively for the better, more democratic world for ourselves and others, which is within our grasp. If we quibble about the details of this accord, we may never have the opportunity to vote for such a progressive document again. It stands or falls by this vote. If we vote Yes, we can resolve its imperfections. If we vote No, we lose the very basis for discussion and are left with a vacuum, for the No side agrees on nothing.

Brian Mulroney has been blamed for scare tactics. The fact is that no one knows what happens next if this accord is turned down. Those who want to forget the Constitution, get back to business as usual and concentrate on economic and environmental problems should vote Yes. That at least gives us a framework within which to operate as a country, and then we can start looking at our major problems, which are: How can everyone earn their living in a world where technology has made it possible to produce huge quantities of goods with very few workers and where our unsustainable habits are leading to environmental disaster, and how can we maintain the powers of a democratically elected government to carry out the wishes of the people of Canada?

People are right to be suspicious of the establishment, but not all politicians deserve the distrust and suspicion now rife. We're paying the price of succumbing to the scare tactics of the 1988 election and letting free trade go through. We won't retrieve that mistake or get rid of Mulroney by voting No in this referendum. Even if a win should bathe him in vicarious glory, he must call an election soon, and the people of Canada then have the remedy in their hands. They can vote in a government that will revoke the free trade agreement, repudiate NAFTA and start working on a viable economic future for this country and the continuing extension of the democratic rights of its people. Let's do it.

The Speaker: I thank the honourable member for Peterborough for her contribution to the debate.

Ms Christel Haeck (St Catharines-Brock): I rise today to give a few personal insights into the Charlottetown accord, and as so many have said before me, it is a privilege to be able to speak on a matter of such great importance to this nation.

The Charlottetown accord has been dissected, interpreted and reinterpreted, but I think the original document stands up very well to that kind of scrutiny. Some have said it is difficult to read. My own experience is that it is straightforward and I strongly advocate that constituents spend two hours reading the landmark document.

I am not a lawyer by training, and that may explain why I read the word "equal" to mean "equal." Constituents who read the document will see that in various clauses throughout the accord equality is reinforced, and specifically the Canada clause, clause 2(1)(g), "Canadians are committed to the equality of female and male persons." I think that's quite straightforward.

I recently held a town hall meeting where the question was asked, "Why are we not all equal?" We are, of course, but we are all different. People from Newfoundland feel

themselves to be different from Ontarians or British Columbians. I know Ontarians who have found that they identify more with British Columbia and have chosen to live there. They feel that there is a lifestyle and a philosophy we in Ontario do not share. The Canada clause recognizes that diversity in this vast country, and at the same time the equality of its regions.

1900

There has been some suggestion that the accord will impinge on the social programs we all see as fundamental to this country. I believe the language is again clear and simple. The federal spending power will be used to contribute to the pursuit of national objectives. Our social programs are recognized in the accord, as is the obligation that there be reasonably comparable services throughout the country. I do not see that what we hold so dear has been threatened in any way.

Like so many of my colleagues, I feel that a great step has been taken to correct past wrongs. As a society, we have tended to ignore some of our citizens. This accord is the beginning of the process of making this country whole; the time has arrived to make the circle whole. I would like to compliment the efforts of the Premier and the Honourable Bud Wildman in that regard.

Critics have said that these constitutional discussions should end and that all our governments should return to the issues. While all of us may not be enthralled by constitutional debates, these discussions form the foundation of our country. Can we reasonably go on to address economic issues when we are not sure what the lines of obligation and accountability are? No, we have to resolve the concerns of the regions, whether those of the west or the east.

Some would seem to suggest that constitutions are documents that, once drafted and approved, should be locked away, rarely to be viewed and even more rarely discussed. Again the answer is no. Constitutions are living documents which, like all legislation, must be overhauled and revised on a regular basis to reflect the changes that all societies undergo.

I believe that compromise and consensus are the best means to resolve problems. This is not a fight, and it definitely isn't one-upmanship. One-upmanship will not bring about goodwill, nor will it see long-held divisions put to rest.

Need brought this country together back in 1867. I believe that we as a country need each other, and through ongoing dialogue, using the Charlottetown accord as the basis, we have the means at hand to ensure economic prosperity as well as social benefits for all.

I hope, I truly hope that we rise to the challenges that our forefathers—people like Laurier, who said that the 20th century would be ours—gave us. Like no other, now is the time for all of us to stand together and now is the time to vote Yes.

The Speaker: I thank the honourable member for St Catharines-Brock for her contribution to the debate and recognize the member for Scarborough East.

Mr Robert Frankford (Scarborough East): It's a very great privilege to be able to contribute to this debate—

Mr George Mammoliti (Yorkview): The Blue Jays, they won.

Mr Frankford: —and note for the record the good-humoured celebration behind me of this rather historic day in our city's history around baseball.

Unfortunately, I'm rather limited for time. I would have liked to have spoken more about Canada and what it means to me. I will just briefly quote, to my mind, the great expatriate writer Malcolm Lowry, who wrote what I personally think is the best novel that was written in this country, *Under the Volcano*, in which he refers to Canada as a "blue northern paradise." I shouldn't spend time on this, but it's an extraordinary book written from the perspective of a very hellish Mexico and seeing the peace and the constructiveness that can take place in this country, which was in fact the situation in Lowry's life.

But I must continue with what I was going to say. Seeing there isn't much time, I would like to respond to some of the objections to the accord that one hears. I'm sure that, like me, all members have to deal frequently with people asking why we have to devote so much time to the Constitution, saying that the economy is the real issue and that the Constitution is secondary. We can point to areas in the accord which contradict them.

We can point notably to the policy objectives of the economic union, where the Charlottetown agreement does directly address the economy. Here we find objectives of the free movement of goods, services and capital, all of them components of a national economy that has thrived based on the assumption of that free movement. Indirectly, I would point out, other commitments will have economic benefits in the short term. The protection, preservation and sustaining of the environment does not necessarily present hard choices between what is economic and what is socially desirable.

The accord, as has been explained by many of the previous speakers, notably by the Premier, who gave much time to it, is of course a compromise, trading off many desired objectives for different areas, but it clearly does work as a compromise when one looks at all the interests that have been protected there.

I would like to get into two areas which affect me particularly and I think mean the most to me, which are the first areas of the Charlottetown accord. Section A is appropriately headed "People and Communities," the Canada clause. Here, let me remind you, we find the recognition of Canada as a parliamentary democracy.

It is where there is recognition of Quebec as a distinct society, the recognition of official minority-language communities, of racial and ethnic equality and recognition of the contribution of citizens from many lands and the recognition that the building of Canada reflects its cultural and racial diversity.

Again, let me ask people to reflect on the importance of recognizing these things in the Constitution. Let us be frank and admit the more regrettable parts of our history, the group discrimination against Chinese, Japanese, Ukrainians, Italians and other groups. The Canada clause puts on paper the recognition that we are a society where all these groups

have built and where new groups will continue to come and to add to our country.

Moving to section B, "Canada's Social and Economic Union," here we have the so-called social charter, which I'm very proud was something that was added very much from the impetus of New Democratic governments. Here is one thing on which I would very much like to respond to the critics. Here we have, among other things, the health care system, as I read from it here, "providing throughout Canada a health care system that is comprehensive, universal, portable, publicly administered and accessible."

I really find it regrettable that the critics, in this in particular but in other things, say, "We cannot afford it." I strongly believe that we cannot not afford it. I believe strongly, and it's been my privilege in my professional career here to have it confirmed from my perspective, that universality, the demarketing of benefits, is a social good and is something that we can be most proud of, and it is cheaper. One only has to look to other jurisdictions south of us, for instance, to see how true this is.

I really should close. One other area in which I would like to add some contradiction to the critics is around the role of politicians. You'll have heard the objections saying we already have too many politicians and why do we need more levels of government, more elected members. I think it's regrettable that we have this cynicism about politicians. Despite all our differences, I believe we do all work extremely hard, that there is a representativeness, an advocacy role, an accountability.

1910

I happened to have the good fortune earlier this year to be visited by an Australian senator named Margaret Reynolds, and it was very interesting to learn how elected senators function and do a valuable representative job. I think we don't realize yet the mindset that we'll have to change. The idea of election of senators does seem very farfetched to us at the present time, but I'm sure that after the vote on the accord, or when it is implemented, presumably at the time of the next federal election, we will find individuals who will serve, who will respond to that elected office.

I am pleased to support this and I will stand down and defer to my next colleague.

The Speaker: I thank the member for Scarborough East for his contribution to this debate and recognize the member for Scarborough Centre.

Mr Stephen Owens (Scarborough Centre): I'm only going to spend a few moments in order to give my colleagues an opportunity to participate in this debate.

I don't need speaker's notes to talk about my country. I was born and raised in Scarborough and I'm fiercely proud of the kinds of contributions people from Scarborough have made to this country. I know that when I went out to Cedarbrae Collegiate yesterday and spoke to approximately 750 students at Cedarbrae, they listened quite intently to the remarks I made in terms of my support for the Charlottetown accord.

Many people during these past two days have talked about the details within the accord, and I'd just like to go

over some of the things I feel are important to me as a person living in Ontario and as a citizen of this country.

First of all, the member for Scarborough East alluded to the issue of universality of health care. That's one of the very important things our Premier started off with during the negotiations process, and that's the importance of the social charter. The reaction initially was mixed, to say the least, but now it's my view that the social charter has taken a place among the crown jewels of this Charlottetown accord and we in Ontario should be justly proud of the kind of work we did in that respect.

In terms of the aboriginal issue, clearly we have gone forward and moved steps ahead of other jurisdictions around the world. First of all, we signed our statement of special relationship with the aboriginal communities earlier this year. We have now recognized the inherent right of the aboriginal community to self-government.

We have taken the opportunity to understand that Quebec is a distinct society and needs to be recognized as such. They clearly have the right to protect their culture and their language, and we certainly are pleased to be able to do that for the province.

Mention was made around the issue of equality and rights for women in this society. No other constitutional agreement, no other series of negotiations, has gone as far as we have in this right. The Canada clause specifically recognizes the commitment to respect for individual and collective human rights and freedoms for all people, as well as the equality of female and male persons.

I think it's very important to note that the Charter of Rights and Freedoms will not be changed, including the guarantee of equality of men and women. Now that we have language like this written down, hopefully we'll be able to look back on the 27th and then begin to start the educational process to ensure that this equality is in fact not just written on a piece of paper but is enacted in people's everyday lives.

In closing, Mr Speaker, I want to indicate to you, as a colleague in Scarborough and a fellow member of the Scarborough Yes committee that we will continue to work hard to ensure that this referendum is passed. I ask the people who are now watching this debate after the glorious win by the Toronto Blue Jays that you take the time to think about the issue, that you take the time to think about how this accord will affect you as citizens in this country.

Clearly, the status quo is not good enough. People tell that to us on a daily basis in our constituency offices. People tell us on a daily basis in our Queen's Park offices. The status quo is not good enough. In order to facilitate the change, we urge you to vote Yes. I urge you to walk with me on the 26th in voting Yes.

The Speaker: I thank the member for Scarborough Centre. Any further debate?

Mr Anthony Perruzza (Downsview): Thank you very much for this opportunity, Mr Speaker. I'm not going to be very long in my remarks, but I'd like to start off my remarks by congratulating the Toronto Blue Jays as the new American League champions. It's been 13 years in the making. I got this pennant fresh off the press.

There were 51,000 Blue Jay fans at the Dome this afternoon watching the game and running around the city celebrating. There are millions of others across this country celebrating the great thrills that the team has given them this year, the enjoyment that it provides to quite literally millions of people both at the Dome and at home across the country. I think they are a credit to this city, a credit to this province and a credit to this country. As they move across North America, zigzagging the United States—and hopefully some day Canada when we engage the Montreal Expos in a World Series matchup—they truly are ambassadors for this city, this province and this country. I thank them in this regard.

In very quickly addressing some of the highlights within the constitutional accord, as I go around and talk to people about our country, our province and our Constitution, I run into many naysayers, people who are going to be voting No. When you engage them in discussion as to why they are going to vote No, there is no clear reason that they point to and say, "This is the reason I'm going to vote No."

They don't point to the fact that provinces are going to now have a veto for further amendments to the Constitution. They don't directly point to: "It's the Senate. That's the part that causes me great grief. That's the part that causes me problems, because giving equal representation across the country is going to impact on my daily life, that's going to impact on my family life and so on." Those are not the kinds of arguments that are forwarded.

They don't talk about: "Let's sit down and talk about the clearer separation of powers. What are the provinces going to get and what is the federal government going to keep? Who's going to be responsible for training and who's going to be responsible for governance of key resources and so on?" That's not what I hear.

In fact, to date I have run into only one individual who came up to me and said: "Why the heck should we give 25% to Quebec? Why should we?" I said: "Did you know that Quebec has always had, traditionally, more than 25%

of the population in Canada? In their history, they've always topped 25% of the population, well over 30%. Why shouldn't they be entitled to 25% of the seats in the Commons?"

That's not what the grievance was for; that's not what the grievance was about. The grievance wasn't about the 25%; the grievance had to do more directly with the fact that there's an anti-French, conversely anti-English, sentiment that prevails in this country, and quite frankly, it has prevailed for quite some time, because as you engage people further in discussion that's what comes up over and over again.

People don't understand what "distinct society" means. I don't understand what "distinct society" means. I don't understand how the courts are going to interpret what "distinct society" means. I challenge anyone here, I challenge anyone outside of this place, to explain to me what "distinct society" means. I will wager with them today that when the courts finally rule at some point in time about what "distinct society" means, they'll probably be dead wrong in their assessment, in their assertions today.

I think that's what this debate is all about, and I think that a number of people have come forward. As of late, the former Prime Minister of Canada came forward and, quite frankly in my view, certainly in the kind of community I represent, he gave the No side the fuel. He gave them the credibility and the fuel to be able to turn on our Quebec brethren and say No to Quebec, to say nay to Quebec.

This is wrong. This could be the worst thing that could have happened in this particular debate, because in this political game in which we have been tossed, if that holds true, if that carries the day, we will pay the price and our children will pay the price. I encourage everyone to vote Yes. I will be voting Yes.

The Speaker: Since the time allocated by party has expired for debate today, this House stands adjourned until 10 of the clock tomorrow morning.

The House adjourned at 1922.

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Official Report of Debates (Hansard)

Thursday 15 October 1992

Journal des débats (Hansard)

Jeudi 15 octobre 1992



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 15 October 1992

The House met at 1004.

Prayers.

ORDERS OF THE DAY

CONSTITUTIONAL AGREEMENT

Resuming the adjourned debate on government notice of motion number 16 on consideration of the Charlottetown accord.

Mrs Lyn McLeod (Leader of the Opposition): I've had an earlier opportunity to express at considerable length in this House my support for the Charlottetown accord and the reasons why I will be voting Yes on October 26. I'd like to use my opportunity this morning to just for a few moments reflect on the process of this campaign, as we are now some 11 days away from what I believe to be one of the most critical votes in our nation's history.

It seems to me that after all the years of debate, of anguish, of negotiation, there has been one point of almost unanimous agreement across the country as this campaign began. That point of agreement was that people have a clear sense that they'd had enough of constitutional negotiations. They wanted this issue resolved. They wanted it to be put behind us so we could all concentrate on other priorities.

Yet, 11 days before the vote itself, after all those years of debate, anguish and negotiation, I believe the campaign itself is proving to have been not long enough. It is certainly not long enough to answer all the questions people want to raise. It's not long enough to respond to that sense of uncertainty that makes people who want to vote Yes just a little bit hesitant, because they don't feel they have enough knowledge of the accord or of its implications.

I've had the opportunity to speak on the Yes side of the referendum at least on a daily basis. I'm impressed that so many people are truly seeking information, that they want to understand what the accord will do and what it will not do, that they want to know how particular provisions have been reached, why they've been reached, whether the accord can be made to work, whether an agreement in fact will allow this central issue to be resolved.

These concerned people do not make the headlines, but there's no question that their concerns are real and that they're looking for the information and looking for the answers. It is a fact that the Yes campaign is literally flooded with requests for speakers who will go out and bring this kind of information to people who are so anxiously looking for it.

These people—you never see their names in the headlines. You never see their particular perspective addressed in the newspaper or media articles. There's no doubt that the No voices have been the most aggressive voices in the campaign and the most likely to catch attention.

As someone said early on: "It is so easy to be passionately opposed to some part of this agreement. The No side

doesn't have to offer any alternatives. They just have to say No."

It seemed to me that at the beginning of the campaign, it was perhaps too frequent that the most passionate expressions of the Yes side focused on the consequences of a No vote. People understandably felt resentful of what they felt to be almost an intimidation. There is no question, though, that the concerns of the Yes side about what will happen if this referendum should fail are sincere and deeply felt.

But for the most part, the Yes supporters have urged people to ask their questions, to give the issues serious thought. The Yes supporters have wanted people to vote Yes, not out of a sense of resignation, not out of a sense of, "Let's get this done," but with a degree of comfort and with a degree even of enthusiasm. The time does seem almost too brief for such a thoughtful and informative discussion.

In many places, the issue becomes divisive. I recognize that this issue continues to be perhaps as divisive for the members of my party as for any other single, identifiable group. That is not because any of my fellow Liberals lack a commitment to our country, but in fact just the opposite.

Many Liberals have found it difficult to give up a long-held vision of what we would like the country to be, in order to reconcile ourselves to the compromises that are necessary to respond to other people's visions, the compromises that to my mind are absolutely essential if any agreement is to be reached.

1010

This has been a truly unique campaign, a campaign in which politicians from all sides of the House, the Premier, the leaders of the opposition and the third party, members of all three parties, have worked together to see that this accord would be approved.

Most of us who support the accord don't have the ownership of having drafted the agreement itself. We would probably all agree that the agreement is not absolutely perfect in anyone's mind, and yet we've risen above our partisan differences to support what, taken as a whole, I believe to be a truly remarkable achievement.

I continue to believe that it requires understanding and tolerance and a capacity for compromise to bring together and to keep together a country as complex and diverse as Canada. We are truly a unique nation, and I think too often as Canadians we tend to forget that.

We are a nation that was founded on a respect for differences, and we are highly regarded around the world as a nation of tolerance. We have in truth become the world's peacekeepers, and this is part of our essence as Canadians. It is also perhaps the most essential challenge that confronts us as we shape a constitutional accord that will assure our future unity.

As I have looked at the accord in detail, I believe every part of the Charlottetown accord responds to a legitimate

and deeply felt need, concern, perspective of some region or some group of people in this country, that no part of the accord is unnecessary in ensuring that we can in fact reach agreement.

I certainly continue to believe that the preservation of our nation is a goal worth striving for, and I continue to be, some 11 days before the vote, optimistic that we can emerge after October 26 with the clear and confident knowledge that future generations will continue to take pride in a nation that stretches from sea to sea. I believe a Yes vote will resolve the central issue of whether we stay together in a confederation called Canada.

As each one of us enters politics for one reason only, the belief that through our political involvement we can make a difference, I look on what contributions I most want to leave as a politician. If there is one legacy above all else that as a politician I would like to be able to leave to my children and to my grandchildren, it is the legacy of a strong and united Canada.

I will vote Yes with pride and with a very passionate commitment to the future of this nation.

Mr Ernie L. Eves (Parry Sound): I am very pleased to partake in this debate on behalf of our party, but more importantly as an individual Canadian and elected member of the provincial Legislature.

I have had the honour, I think, since I've been a member, of having participated in every single committee the Ontario government has had on the Constitution, and during my travels and travails on those three committees I have learned and gained a great deal of respect for members on all sides of the House in all political parties who have served on all those committees.

It's an issue, one's constitution, that I think not many countries have an opportunity to go through. The Chinese people have a belief that in every crisis you have both danger and opportunity, and I think that indeed we have a great opportunity in this country on October 26 if we want to seize that opportunity.

I'm not going to talk about the text and the components of the agreement because I believe enough has been said by plenty of other members, both in the Legislature during this debate and outside by people who, perhaps even more importantly, are not elected representatives.

I will say that I'm somewhat disturbed by what I perceive to be some apathy by the voting public out there. I don't believe that we have communicated to the people in Ontario and in Canada exactly what the Charlottetown agreement or accord means.

I want to say up front that I come at this perhaps from a different perspective than some other members in that I was one of eight members of the Ontario Legislature to initially vote against the Meech Lake accord, and I felt very strongly about that. I also want to say that I voted for the amended version of the Meech Lake accord in this chamber approximately a year later.

I think we've all learned something through this process—at least I have—and that is that we should have listened to the people in the first place. Now we are doing, I think, the correct thing in letting the people of Ontario

and Canada ultimately have their say as to what they think about this constitutional agreement.

It is indeed unique when you see that the leaders and most opposition leaders of all 10 provinces have unanimously endorsed this agreement. The leaders of all three federal political parties have endorsed this agreement. The leaders of the four native groups or communities represented at the table have unanimously endorsed this agreement. For the first time, the leaders of the territories have been allowed to participate in this process, and they have endorsed this agreement. Such diverse groups as the Canadian Labour Congress and the Business Council on National Issues have publicly endorsed this accord. I think that says something. It should say something to every single Ontarian and every single Canadian.

This is an agreement that was reached over a great period of time. I have this funny feeling, at least from recently talking to my constituents at the Parry Sound District Municipal Association meeting a couple of weeks ago, that they seem to feel that if they vote No on October 26, it really doesn't mean anything, that the leaders will just go away and they'll negotiate a different deal, one that's more to their liking.

I have to say to those people that this is not the case. We have worked 125 years to come to this point in our history. The opportunity is now and we must seize that opportunity now.

I am sure that there are things in this agreement or accord that I personally would like to see changed. I'm sure that every one of us, every Ontarian and every Canadian, can say that, but being a Canadian and being part of a country means compromise. It means appreciating the concerns and problems and cares of other peoples in different parts of this country.

The spirit of compromise has always been an important facet of Canadian life. This country was founded, of course, other than the native peoples, which we often forget, by two basic immigrating peoples. We have always respected that. We've always respected the differences, as we respect the differences in other peoples who have come to this great land from many other nations around the world.

I don't know what we lose or what Preston Manning loses by acknowledging that fact. I don't know what we lose by recognizing the fact that Quebec is indeed a distinct and different culture. Every single province is different. This country is formed on respecting each other's differences and appreciating them and compromising.

I say to people who are considering voting No—because I think there's also a misconception out there that “This is Brian Mulroney's deal,” or “This is Bob Rae's deal,” or “This is a political leaders' deal and we don't like incumbent politicians, period, so if they like it, we don't like it, and we're going to vote against it.” That's not what this is about at all.

What this is about is that every facet, every area, every region of this country has finally unanimously agreed upon an accord that we all feel we can live with.

1020

I say to the Canadian people out there and the people in Ontario, if we vote No on October 26, there may be great ramifications indeed for our future as a country. That isn't automatic, but it is certainly a great possibility if the result is No in significant parts of this country on October 26. All you have to do is look around at other countries in the world and see what they're experiencing and the difficult times they're going through to appreciate where we might be a year from now, two years from now, five years from now or 10 years from now. I don't believe you can cut out of the heart of this country about 30% or 25% of the population and expect this country to survive as we know it today. I think it's incumbent upon every one of us to seriously consider that possibility before we vote on October 26.

I heard on the radio this morning that there's now a new group out there, a third group. They say they have a third option and that will be saying to vote Yes on the 26th, so they feel they are then saying Yes to Canada, but then marking their ballots otherwise, saying they don't agree with this particular accord. That is a copout, I say to those people; that is an insult to the democratic process. At least, if nothing else, you should have enough personal integrity to say whether you're for or against, not trying to weasel out by trying to have the best of both worlds. Quite frankly, that's what that is, copping out of your democratic right and duty.

I say to those people who want to consider voting No and I say to Mr Manning, I think some of his ads border on—I want to choose my words very carefully here—deliberate misleading of the Canadian people for his own political benefit. This is not, as Mr Manning says, the Mulroney deal. It's not anybody's deal. It's a Canadian agreement. I feel saddened that individuals such as Mr Manning would choose the future of this country as something from which to try to gain political advantage, particularly in his home province. I think that is despicable. I think that is politics at its worst. For those Reform Party members out there who think they have something, I think you'd better think again, because if Mr Manning has proven anything during this debate, he has proven that he has sunk to an all-time new low in the politics of this great country called Canada.

I watched the debate the other night between Premier Bourassa and Jacques Parizeau. I respect Mr Parizeau's right to differ; I don't agree with much, if any, of what he said. I find it difficult to take counsel or advice from individuals such as Mr Parizeau or Lucien Bouchard whose primary purpose seems to be to break up this country of Canada. At least they're decent enough to say that up front. We know that's where they're coming from.

I want the people who are thinking about voting No to think about whether Mr Parizeau, Mr Bouchard, Mr Manning, Ms Rebeck, Pierre Elliott Trudeau and all the other naysayers or nitpickers out there, if we put those people in a room, could come up with a unanimous concept of what this country is about. Could Mr Manning and Mr Parizeau agree? I find that very difficult to believe. In fact, that is impossible. We know it's impossible.

I don't want there to be any misapprehension or mistake about where the No people stand. They stand against this country, whether they want to admit it or not. I know they hate it and dislike it and say it's improper for someone like me or the Prime Minister or anybody else to say that, but that's exactly what they stand for. Mr Manning doesn't stand for this country the way you and I see it, as a compromise with native peoples and all different regions, respecting the distinct and different nature of Canada. Mr Manning does not believe in that. He doesn't believe in this country the way it is today. Mr Parizeau doesn't believe in it. And Pierre Elliott Trudeau, for whatever reasons he has other than maybe academic senility, has to find something wrong with everything or his day isn't made.

Mr Jim Wiseman (Durham West): You're giving him credit there.

Mr Eves: You think I'm giving him too much credit? Well, perhaps I am.

I just want to say to people out there that I don't think you're going to have a second chance. I think your chance to save this great country called Canada and to get it on an even higher plane and get every facet and every area and every region and every people in this country together and go on even bigger and better from here is on October 26. If you say No on October 26, I don't think you're going to get a second chance, and I think that it's only a matter of time before the country as we know it today ceases to exist.

I think that's pretty important, and I think that's pretty significant. I think we should be proud that we have the right in this country to be able to decide that, that the people themselves will decide. It's fine to say that this is not a binding referendum, but I tell you, I don't know how any responsible elected person could not pay attention to the result of the people in his or her own province, or in his or her own country, when they have the right to vote.

I think the people had better think about how important this is. This is more important than any ballot they have ever cast anywhere in their lives. It's their democratic right and it's their democratic duty and responsibility to think about whether they want to keep this country called Canada or not, because it's just that simple. It's Yes or it's No. There's no waffling; there's no in-between. You're either for Canada or you're against it. I'm for it, and I'm voting Yes on October 26.

Hon Marilyn Churley (Minister of Consumer and Commercial Relations): In the spring of 1991, together with 11 other members of the Legislature, I had the privilege of sitting on the select committee on Ontario in Confederation. As I believe many members in this chamber have already said, some today, it gave us, I think, a unique perspective on the compromise that was reached at Charlottetown.

Because I see my colleague from York North, I believe it is, sitting across the floor, I think I would be remiss to not mention today that I come from Labrador.

Interjection.

Hon Ms Churley: No, I'm not finished yet. I come from Labrador, which I kept bringing up on our select committee time and time again. I brought it up continuously

because it gives me, I think, another bit of a unique perspective, both coming from the north and the east coast. But I've mainly brought it up because the member from York North is here, for his benefit.

What we learned, I believe, from that particular interesting experience—I think we talked to more than 600 groups across the province; it was quite a whirlwind. We heard a number of different variations on the theme of people's vision of what Canada is all about. One of the things that came across most to me was the particular thrust of the people's concern about aboriginal people in this province. Time and time again we heard, from all over the province, that people were aware of the injustices to our native peoples and that they believed the Constitution should right that wrong. I was so impressed at the number of diverse groups from across the province who brought that up.

In my few minutes here now, I just want to speak specifically and address some of the concerns raised by women about the accord, because I think, like my women colleagues in this Legislature and other Legislatures across the country, I'm particularly sensitive to the concerns that have been raised by women's groups.

As a feminist I was very concerned by some of the opinions expressed by the National Action Committee on the Status of Women and the Native Women's Association of Canada. It gave me real pause and I really had to do my homework on that issue. But having done that and having talked to a number of feminist lawyers and other feminists, and not just feminists' but others' interpretations, I came to the view that the Charlottetown agreement, taken as a whole, is a step forward for all Canadians, women as well as men. I really believe that the accord will strengthen and protect equality rights for both aboriginal and non-aboriginal women.

1030

I know that some women—and not just women again, but I'm speaking specifically to women's concerns—argue that the wording of the Canada clause is not adequate to ensure gender equality because it only commits Canadians to gender equality and not Canadians and their governments. They say that the Canada clause, by creating a hierarchy of rights, will diminish the equality guarantees of the charter and some aboriginal women fear that the inherent right to self-government will allow aboriginal governments to override the equality provisions of the Charter of Rights. If I thought that were true, I couldn't support this deal. I'm happy to say that I don't believe that is so. The reality is that all Canadian governments are equally bound to all the terms of the constitutional amendments and the Charter of Rights and presently our Constitution contains two equality protections: sections 15 and 28.

In addition to these sections, the Charlottetown accord will extend additional protection to aboriginal women by guaranteeing the equality rights of aboriginal peoples, and the Native Women's Association of Ontario recognizes this and is supporting the accord. We have to bear in mind that the Canada clause does not give rights; rather it affirms fundamental Canadian values and that includes an equality

of men and women and respect for all individual and collective rights.

I just want to bring up one other concern very briefly, and I think it's a very important one, and that is that there has been a lot of concern expressed that the new national social programs such as the national child care program will not be able to happen under this new accord. I think that we have to ask ourselves why it is that there has been no new national social program introduced in Canada since medicare some 25 years ago. This has nothing to do with our Constitution. It is because of a lack of political will on the part of national governments and we have to bear in mind that it's governments, not constitutions, that are responsible for establishing new social programs.

I am voting Yes for this accord. I've put a lot of thought into it. I've talked to a lot of people about it and ultimately I came to the conclusion that this is the right step for Canada to take at this time. I want to assure the women out there who may be watching me and whom I have some credibility with as a feminist that I strongly and firmly believe everybody has a right to their opinion but that on examination of this deal equality for women will not be hurt. I do urge women to reconsider and everybody to try to get as much information as they can and come out and vote on the 26th.

Mrs Elinor Caplan (Oriole): I'm pleased to rise today and participate in this debate. There has been much said and I'm very proud of the process that we've gone through and the participation of so many members of the Legislature.

At first, I had thought it wasn't necessary for me to speak but I believe my constituents in the riding of Oriole would not only like to hear from me on their behalf how I feel about this, not only to know where I stand, but also how I arrived at that conclusion.

I'm not going to get into a basic discussion of the provisions of this accord because I think that many people, through the Yes committees, certainly the spokesmen for the No side, as well as TV advertising and all kinds of meetings as well, everybody has had copies of the accord delivered to their homes, is being inundated with information. What I'm hoping is that they will think about that because this has perhaps been the kind of debate where some of that thoughtfulness has been replaced by the kind of rhetoric which often doesn't allow for people to really think about what this is really all about.

A few months ago one of the things I was hearing from my constituents was, "Elinor, why can't all of you politicians set aside your partisan differences and work together for the benefit of society?" I heard this phrased in a number of different ways from individuals and from organizations. This was over the summer and through the late part of last spring. People were saying, "What we want you all, broad-brush politicians, to be able to do is work together on the important issues."

I've been very distressed because in the last little while, in response to what I believe is quite a miraculous achievement, we have had people saying, "One of the reasons we're voting No is we think you're all in cahoots, you

politicians, trying to pull a fast one or convince us of something that is not in our interests."

So, for today's debate, to those people who are obviously upset because of the recession, because of the economic situation in this country, because of the process, because they don't like any of the political leaders in this country and are upset because things are going badly, I would like to share with them the words of someone I respect. If they didn't have an opportunity to read his words for themselves, I'm going to give them some excerpts from a column by Pierre Berton, written on Saturday, 10 October, which for me sums up how I'm feeling at this point in time. I hope that people will think about that between now and October 26 and think about what Pierre Berton has to say.

He says, and the headline is "Here's Why I Intend to Vote Yes for Canada":

"On referendum day, I plan to mark my ballot with a resounding Yes.

"I am not going to hold my nose as others have grudgingly said they'll do. I will vote Yes cheerfully, even with enthusiasm.

"I will vote Yes to help celebrate a miracle. Somehow, 10 provincial premiers, plus representatives from the territories and the aboriginal constituency, have managed to bury their differences long enough to achieve a compromise.

"For once they stopped arguing about how many angels can dance on a pinhead or how many politicians we need to make up a largely ineffective Senate.

"So nobody is totally happy with the result. What did we expect? Are there people in this country who actually believe any document can be cobbled together to please the entire nation from Tofino to Joe Batt's Arm?

"I'm going to vote Yes because, even if it doesn't stop the squabbling, at least it will slow it down and we can get on with problems that really concern the people—the economy and the environment.

"I, for one, am weary of all the same talking heads maundering away, endlessly repeating what they've already written at unconscionable length in the daily press.

"A Yes vote won't stifle them, but it will serve to dampen them a bit.

"Nor will a Yes vote solve all the regional problems that are part of our heritage. But I shudder to think what a No vote would do.

"Do those strange bedfellows on the No side really believe that if the country rejects the proposed Constitution, they'll get everything they want in the next weary round of talks? Come on; get real!

"I do not swallow the hokum being ladled out by Preston Manning, that a No vote will put an end to our constitutional troubles. In fact, it is going to lead us into a worse mess than ever.

"Nor, for an instant, do I accept the twaddle being peddled by Jacques Parizeau that a No vote won't be a boost for 'sovereignty'—or any of the other euphemisms being used to describe the breakup of the country.

"It has everything to do with the breakup of the country, which is why Parizeau is working for the No side.

"Nor do I accept Pierre Trudeau's warmed-over suggestion that by voting Yes we give in to blackmail from Quebec.

"Blackmail has been part of the process from the outset, but not just from Quebec. Everybody has tried to blackmail everybody else. The west, the aboriginals, the women, have all indulged in blackmail.

1040

"The name of the game is not blackmail, but compromise, an old and honourable word with a special resonance for Canadians.

"This quality—to bend a little in the hope that the other side will also bend—has shaped our national character. That's why we're so good at peacekeeping in those corners of the world where a lack of compromise has led to horror.

"For our entire history, we have been prepared, in the national interest, to settle for half a loaf. Now, alas, there are some who think they can get everything they want without giving anything in return.

"The country doesn't work that way. Our geography and our history makes us a unique people, able to survive only by bending with the wind.

"It explains why John A. Macdonald and his bitterest political enemy, George Brown, buried their differences in Charlottetown in the interest of building a Confederation.

"Unlike our neighbours, we have never tried to solve our problems by revolution or civil war"—and I add the editorial, thank God. "We achieved our independence slowly and bloodlessly. Few other nations in the Americas can make that boast.

"That is why Canadians think their history is dull. What they really mean is that it isn't like American or British history, full of gunsmoke and severed limbs.

"We have yet to match the age-old hatreds of the Balkans, but geographical rivalries do define us. The angry ocean in the east, the Cordilleran wall in the west and the 700-mile Precambrian dam in the centre separate us from each other almost as much as the barrier of the language.

"If we are a Confederation, it is because we are really several countries, fenced off from each other by nature, clinging together for a common purpose, both economic and spiritual.

"And so regional interests—and regional jealousies—loom large, producing constitutional wrangles and bitter words on the open-line show.

"This year, somehow, a group of Canadians as different as Bourassa and Wells, Getty and Mercredi were for one magical moment able to bury these regional concerns and, in the true spirit of Confederation, arrived at a compromise.

"Instead of nitpicking we should shout whoopee! This is our big chance; I doubt we will get another one. And that's why I am enthusiastically voting Yes."

I couldn't say it better than Pierre Berton said in this article of Saturday, October 10, in the *Toronto Star*. I agree with his sentiments. I also doubt that we will get another chance, and it's my hope, on behalf of my constituents in the riding of Oriole, that we will on October 26 be able to stand up for a proud Canada, strong and confident, a country from sea to sea, that has set about to bury its regional differences, the historical passions being set aside for a

brief moment in the interest of all of us, to say Yes to a great country.

I want to thank Mr Berton for his effort and his work, because I've been trying to find some way to express the passion and the feeling that I have and I could not have found a better spokesman. He's an author and a writer whom I respect. I haven't always agreed with him in the past, but I was pleased to share his words with the Legislature today and with my constituents in the riding of Oriole.

I commend to them a thoughtful consideration of this accord. As I said at the beginning of my remarks, I would ask them to remember, as I remember, what they said to me a few months ago, which was, "Is it possible for all of you to work together for the betterment and the interests of this country?"

I believe that is what happened. It's much easier for those on the No side to speak passionately about all of those things which they see as flaws. I see it as reasonable compromise. I'm voting Yes because I believe this is in the interest of the province and the interest of our country, and I'm voting Yes with pride and with passion and with the hope that we will leave to our children a stronger and united Canada because of our participation in what has been a difficult, anxiety-ridden constitutional process.

I hope we will be able to put all that passion and anxiety behind us. I suspect we will not, no matter what occurs on the 26th. But I do think that if thoughtful and reasonable people, approach this referendum as an opportunity to speak in a positive voice about that which is reasonable for our future, then I believe we'll all feel better on the morning of the 27th.

I am concerned, as well, about the insecurity and the instability that may come. I don't think that's fearmongering. I do believe that if a No vote prevails, the sun will rise on the 27th, and we will have to deal with whatever the ultimate results are. I would say again, in the words of Pierre Berton, I doubt that we'll get another chance such as the one we have now to move forward boldly and confidently into the future.

For my children, as well as my constituents, my family and my friends, it's my hope that we will be able to put this behind us and move on so that we can address the real problems which are on the minds of my constituents today. A few months ago they were saying, "Can't you all work together?" Today they're saying, "Can't you get on with restoring the economy?"

I hope that as a result of the thoughtful debate and discussion we have had here in this Legislature, people will understand that it is in their interest to allow the minds and the energies, as well as the passions, of those in leadership positions in this country to put their attention to the rebuilding of our economy and getting on in a positive way to building a stronger and better future for all of us.

Mr Norman W. Sterling (Carleton): I am proud and feel privileged to have the opportunity in this Legislature to be involved in this debate.

One of the problems I have had during this larger debate which has occurred outside our Legislature is some of the perceptions that, unfortunately, the public seems to have about their leaders, their politicians. I was astounded

some time this week, when listening to Canada AM, to hear that part of the No campaign did not support this particular accord because it was not the product of people—that it was not the product of people. In other words, it's unfortunate, but it seems that a certain segment of our population has come to the conclusion that we politicians do not have feelings and do not have the interests of the people at heart. I only hope that as we go through this process and people think about a fairly complex issue, they will realize that politicians on all sides of the legislatures and House of Commons and Senate of Canada are in fact people who are trying to represent the people who have elected and placed them where they take office.

The other part that I found somewhat astounding in terms of the argument put forward by the No vote is the lack of consultation, or the seeking of the legal text. I voted against the Meech Lake accord. I was one of eight members of this Legislature who voted against the Meech Lake accord in June 1990, in the last Parliament of this Legislature. I voted against that because it was a deal which lacked consultation, which did not give the people of Canada the opportunity to put forward their views before a deal was struck.

No one can say they were not consulted on this deal. I believe the consultation at the federal level, at the provincial level, from town to town, within communities was extensive, and I don't believe it could have been greater.

1050

I was very privileged, along with the member for Parry Sound who spoke to us a few minutes ago, to have the opportunity on behalf of my party to be personally involved in some of the discussions by the first ministers leading to the Charlottetown accord. Our Premier asked Mr Harris and Mrs McLeod, the leaders of the two opposition parties, to be fully informed and to fully participate in the discussions. I have in the past congratulated the Premier on doing that. I think it was a very progressive step. It kept us on the opposition benches informed, and it also allowed us to let Premier Rae and his group know of our opposition to roads he was taking or of particular matters we disagreed with. I must say that I will indicate at a later point just what some of those opposition statements were.

I was lucky to sit in the room behind the Minister of Natural Resources, Mr Wildman, who I believe is going to be talking to us in a few minutes, to sit in the same room with Mr Rae and a host of other premiers from across this country. I guess we get isolated in this Legislature and I think we get isolated in our own communities. We forget about the differences that exist in our country.

We forget about the aspirations of the fishermen in Newfoundland, because that doesn't relate to the area I live in or you live in, Mr Speaker. We forget about the concerns in the Maritimes for their future and their ability to provide their people with the proper social services which we have all agreed are necessary and common to Canada. When we're sitting here now with no national energy program, we forget about the anger, the hostility which the national energy program brought to the west in 1982 or 1983 when it was implemented by the Liberal government under Pierre Trudeau.

We forget about the aspirations of the aboriginal people, who have for over a century now lived in coexistence with provincial and federal governments. Provincial and federal governments have tried and tried to assist, I think in good faith, the aboriginal people to have a better life, to try to cope with the changing world. But we have failed in that challenge and I think we have all recognized that.

When you sat in the room with all these people from the west, from the north, from the territories—where they have aspirations to be provinces some day—from the east, from Quebec and from Ontario, you realize that over the past 125 years Canada has been a tremendous compromise. We have lived over that period of time, and as you study our Constitution and the development of our Constitution since 1867, you start to realize that there were different deals made along the way. When Newfoundland became part of Canada in 1949, we gave six Senate seats to Newfoundland. That was part of the deal. No other maritime province has that kind of deal. Consequently, Newfoundland is far overrepresented in the Senate in terms of population; we're talking of course of our present.

You realize that as the Constitution developed, as our history developed, there was a lot of compromise. Politicians had to sit around a table and figure out how we could live together. When I went to the first Constitutional conference—I believe it was in May in Ottawa—and then I went along with Premier Rae to one in Saint John, New Brunswick—quite frankly I often went out of the meetings thinking to myself: “I’m really disgusted with our leaders, because here we have our leaders in this room, pounding away at what they want. They want this for their area.” There seemed to be no compromise on their point.

Alberta seemed to be so dogmatic about wanting this reformed Senate. To me, being from Ontario, I couldn’t understand why anybody wanted a Senate, period. I just couldn’t understand that. But seeing how hard they wanted to fight for it—and not only Alberta, but Manitoba and the other provinces; Newfoundland, which joined in behind them—and how important the principle was of having a chamber where equality was the rule made me start to understand that my view of the world was certainly not the view of the world as represented by the people of Canada.

But I was really disappointed and disheartened. We went to these meetings, and there seemed to be more of an interest, at least as I interpreted it at that point, on the part of premiers to go back to their provinces and say, “I won; I won this; I won that,” instead of going back to their provinces and to their people and saying, “We gave in order to keep Canada together.”

I was very concerned at those stages, but I was completely turned around when I had the privilege of sitting during the hearings on July 6 and 7. July 7 was probably the key day in terms of the development of the Charlottetown accord and all the consultations which occurred across this country. That morning at a breakfast, when we were preparing to be briefed by Premier Rae’s officials who were numbering at that stage near 20 or 21 because there were a huge number of issues and there was a great deal of consultation going on, I expressed to Premier Rae

my concern over his lack of support for the federal position on section 121, which was the economic union clause.

Quite frankly, I’m still not satisfied with what has been worked out, because I feel that as we devolve powers down to the provinces, we must look for other kinds of glue to keep us together. I saw section 121, that clause which said that there can’t be any interprovincial barriers to keep people from crossing borders to do business, to work, to visit etc, as extremely important to provide the glue to keep our country together if in fact we were going to give provinces more power through this arrangement, and I told Premier Rae that as well.

Then I started to realize, as we went through the meeting on July 7, that people were going to have to give, and although Premier Rae didn’t agree with my position and didn’t espouse that position at the table, I could understand why I had to compromise what I believed in and support a deal which was struck by a Premier who represents a different political party than mine. I have to compromise my views, as does every other Canadian, in seeking to forge a deal which is acceptable to everyone else.

1100

I want to also indicate that I sat two feet from Premier Rae when we were dealing with the Senate issue in the afternoon. I was concerned that we would give in on an equal Senate at that point, because Quebec had indicated at noontime, to many people, that it would not support an equal Senate under any circumstances. I was concerned with our delegation, the Premier, leaving Premier Bourassa isolated on this issue, and I told him so.

Notwithstanding that, there comes a time when things have to be put together and a deal either has to be made or you can’t carry on. Notwithstanding the fact that Premier Rae did give at that point in time on the equal Senate, to a model which I think was much more drastic than the model which we now have in the Charlottetown accord of August 28—thank God for Mr Bourassa in terms of modifying the model; Mr Bourassa in effect, in my view, bailed us out on the Senate issue—what I guess is important is that as I sat there in that room and saw people giving, then it came to me. I thought, “All of these people I have watched bicker over months about what they wanted to take back to their electorate are willing to give in on some of their major points, some of their major beliefs, in order to keep this country together.”

I guess it was one of the greatest thrills I ever will have as a politician, to see in a room aboriginal people, politicians from across this country, say: “I want to keep this country together. I’m willing to compromise tremendously in order to do that.” It was a tremendous experience, to see that much glue between the premiers of this fine country and the aboriginal leaders of this fine country to say: “Yes, Canada is worth saving. We will give tremendously in order to keep this together.” That to me was the highlight of all those negotiations on July 7 when that deal was struck.

So there is tremendous glue in this country. There is a tremendous desire by the people to want to stay together. That’s what their leaders portrayed in those negotiations.

I don't think a lot of people out there realized—or realize—that in 1982 we brought back to Canada a very imperfect document. I think there are two things that, in retrospect, perhaps we should not have done. First, perhaps we should not have brought back the document unless the province of Quebec would participate voluntarily at that time and sign that document. The other thing we did, and I think the people should understand that, is that we bound our future leaders, the leaders who were meeting in those rooms I was talking about previously in my remarks, that in order to change anything in the future, you needed everybody to agree; you had to have everybody sign on the line.

Therefore, I don't think the people of Canada understand that if we turn this deal down, the next deal must also be agreed to by everybody. We can't make a deal any more to change the Senate if we have one province that disagrees. We can't agree to change a lot of other parts with regard to our Supreme Court without the unanimous agreement of all the different provinces. People must understand that the document which Pierre Trudeau brought back here in 1982 was anything but perfect.

I've heard a lot of negative remarks about different parts of this deal. It's very easy to pick part of the deal and say, "I don't like it because Quebec is getting 25% of the seats for ever in the House of Commons." People somehow forget that provinces like Nova Scotia and Prince Edward Island have guarantees as well.

Prince Edward Island has a guarantee of four seats in the House of Commons. They don't deserve four seats in terms of their population, but nobody's complaining about Prince Edward Island.

Nova Scotia has a guarantee, I believe, of 10 seats; I could be out a little bit. It doesn't matter whether their population falls to 100,000, they will still have 10 seats, but I don't see people complaining about that.

The fact of the matter is that the population of Quebec right now is about 25% of the population of Canada and that it is unlikely over the next 20 to 25 years that the population will fall significantly, so I don't believe that guarantee is germane to any kind of debate or justifies a No vote.

We could talk about a number of other arguments. One of the things I have done is to send around to my constituents a questionnaire, as I did with the Meech Lake accord, which asked them their opinion with regard to this constitutional deal. I don't ask them just the question they're going to be asked on October 26, although I do ask that and say to them if they do not want to respond to that they need not because they may consider that a matter of a secret ballot. But I asked them a number of other questions, because I'd like to know, if this deal does fall, which parts they object to most.

I couldn't deal with it all because it's a very complex deal, but there are three questions I asked at the end. I wanted to instil in the people of my riding of Carleton and eastern Ontario the notion of them thinking about what happens next.

I asked them, "If Ontario says No to this deal, what should we do next?" I asked them, "What should we do

next here in Ontario or as an Ontario government if some other province votes No?" "What should we do next if the province of Quebec votes No?"

If anybody wants a copy of this particular newsletter to give their constituents an opportunity to participate, I would be pleased to provide copies; or if they want to just use the text of it and rub out Norm Sterling, that's fine as well.

Mr Jean Poirier (Prescott and Russell): Or just rub out Norm Sterling.

Mr Sterling: Just rub out Norm Sterling, yes.

I think there are three things we get out of this deal, and I think this is what people should understand.

Aboriginal or native people, when you ask them, "Are you a Canadian?" heretofore have been reluctant to answer that question, because I don't think a lot of people outside the native or aboriginal community understand that aboriginals in general have not considered themselves Canadian. If this deal goes through, aboriginal people become Canadians, they become the third order of government in Canada.

It will be the first time in 125 years that everyone who lives here, including the aboriginals, will be under the umbrella of the crown, under the umbrella of Canada. They will become Canadians and they will have to participate in making Canada better. They will not only be getting the powers to govern their own people but will be responsible for living together with those other governments to keep Canada the great country it is.

The second thing is that after 1982, when the west signed the accord of 1982, something happened in this country which was very detrimental to holding this country together: the national energy program of Pierre Elliott Trudeau. As I said earlier in my remarks, the hostility towards eastern Canada and central Canada over this deal still remains in the west. Giving the west an equal Senate says to me, and I think it says to the west: "That's gone. That's the quid pro quo for having done that to us in the west."

Therefore we get the aboriginals within our Constitution, within our country, we get the west back in, because of something that's happened in our political scene over the last 10 years since they signed the deal, and last, I think it's most important that we get Quebec, 25% of our population, a unique part of Canada. We get them within our Constitution, within our country. I think it's a tremendous accomplishment for the first ministers of this country to come together, put together the glue and bring together three disaffected parties: aboriginals, the west and the province of Quebec.

My family has been part of Ontario and Canada for 200 years. I think Canada is worth saving. We must continue to live in a society which compromises from time to time. We have for 200 years. I'm willing to do it this time, I'm proud to do it, and I will proudly vote Yes on October 26.

1110

Mr David Winninger (London South): I too am grateful for the opportunity of participating in this debate today. I've enjoyed hearing many statements from all sides

of the House as we've debated the constitutional accord signed in Charlottetown on August 28.

Many members have gone back in time to moments of great historical significance: the battle on the Plains of Abraham in 1763, 1773, 1790, the Union Act of 1840 and the British North America Act of 1867, which brought together those two great French and English statesmen, Macdonald and Cartier, representing the French reality, if you will, of French Canada, Quebec, and the English-speaking reality of Ontario and the provinces of New Brunswick and Nova Scotia, which had their own concerns regarding their unique transportation and financial needs.

In the few minutes remaining to me, I propose not to go back 125 years in time to determine what we were proud of then, but to go ahead 125 years from now and try to speculate on what we as Canadians in the year 2117 might look back on with pride in this particular constitutional accord.

I know many of us who lead healthy lives may still be around in the year 2117, and I'm sure society will have changed a lot. There will still be an NDP government at Queen's Park and hopefully one in Ottawa as well. Many of us will carry miniature Apple computers in one vest pocket and our fax machines in the other.

But at that time, when my children or grandchildren look back on the constitutional accord signed on August 28, 1992, I want them to look back with a feeling of pride. I want them to look back on what was done by the 10 premiers, the leaders of the two territories, the Prime Minister and the representatives of four native organizations to bring together the necessary healing that was required in August 1992.

The problem with 1867—I shouldn't really say it's a problem, but the facts and circumstances were that we had several so-called Fathers of Confederation. The constitutional accord of August 1992 I think is significant in that it brought together not only Fathers of Confederation but also the Mothers of Confederation. I'm talking about Mary Simon and Rosemarie Kuptana of the Inuit Tapirisat. I'm talking about Nellie Cournoyea, representing the Northwest Territories. So in bringing together Mary Simon, Rosemarie Kuptana and Nellie Cournoyea, we had representation for women at the constitutional table. We also had, in terms of process, the broadest possible consultation this country has ever seen. We've had consultation with the disabled. We've had consultation with visible minorities. We've had consultation with environmental groups, students, seniors; the whole spectrum of Ontario society and Canadian society has been represented during those consultations.

My own participation on the select committee on Ontario in Confederation was illuminating, because we met virtually from dawn to dusk in legion halls, in libraries, in city council chambers, in seniors' centres all across Ontario. What was remarkable about that experience—and I know members on the other side experienced it too—was the richness and diversity that constitutes not only the people of Ontario but the people across Canada.

I think it's important, as our children and our grandchildren and descendants review the constitutional accord

in the year 2117, that they be cognizant that there was a lot of so-called unfinished business in 1982. Inherent self-government had not been recognized for the native peoples of Canada. We finally recognized, as Mr Sterling has said, that our native people constitute a third order of government in Canada, and I'm proud that they can take their rightful place within the context of the Canadian Constitution.

I'm also pleased that the Charter of Rights and Freedoms will continue to apply. I'm pleased that we finally accorded Quebec its status as a distinct society in terms of its unique French culture, its majority French language and its civil law tradition. These are all needs that were crying to be met when the Constitution was patriated with the amending formula in 1982. Those needs, unique to Quebec, have been met in this constitutional accord.

Finally, the other salient issue that will emerge from the constitutional accord 125 years from now was the crying need for change, reform and renewal of our federal institutions. Certainly, in travelling to other provinces, we've heard again and again the need voiced by those other provinces for a form of Senate, an upper chamber, that will be more responsive to regional and provincial needs. I think the people of Ontario have told us that they can accept a more equitable, even an equal Senate, and the motto that our representatives came up with in Charlottetown, I think, provides responsiveness. I think it provides flexibility in that a double majority of francophone senators will be dealing with matters of French culture, and I think it's important that there be equality within the Senate but balanced, on the other hand, by representation by population in Parliament.

Overall, I'm confident that 125 years from now our descendants will be pleased with the efforts, the goodwill and the healing that has taken place in 1992. For all of those reasons, I will be certainly affirming a Yes vote on October 26. I'm confident that other Ontarians, knowing that the opportunity is at hand, will also affirm that accord, which respects the rights of women, the rights of visible minorities, the rights of the disabled and all ordinary Ontarians and our native brethren under one Constitution, one Canada, one strong and prosperous and forward-looking Canada with a Constitution that's modern, flexible and responsive to the people of Canada.

The Acting Speaker (Mr Noble Villeneuve): I wish to thank the honourable member for his participation. Further debate?

1120

Mr Joseph Cordiano (Lawrence): I am indeed glad to have this opportunity to make some remarks on the constitutional question or dilemma, if you will, that confronts us in this month of October 1992.

It is certainly a culmination of events that has led to this point in our history. Other members have recited the history of the constitutional discussions that we've had over the years as a country and I will not go over that. But I want to shed some light on the way I see constitutional debate, discussion and reconciliation coming to this point and why it's essential for us to begin to understand how people out there feel about what amounts to a lot of legal

discussion, debate, wrangling perhaps, over the years and why they feel that way about.

In my most humble way, I, as an elected official, can attempt to understand that and begin to put some perspective on it so that I can better understand perhaps where my constituents share their views today with each other and perhaps have an expression of their views on October 26, one way or the other.

It's important to point out that we should not vilify people who differ with us or differ with each other and that there will be a genuine difference of opinion perhaps expressed on October 26. But I want to put on the record how I feel about this deal and why it's important to move forward, why it's important for our country at this point in our history to look beyond this century, to look into the next century, to look forward to a future with some promise as a country that is united, strong and forward-looking.

Perhaps looking at our differences today is like looking at a family that is ripping itself apart, a family that doesn't get along, a family that has been debating and arguing and has differences, perhaps because members of that family do not have respect for one another, perhaps because that respect has been lost.

I think the process we're involved with right now attempts to reconcile differences within a family, reconcile hurt feelings, reconcile the fact that there perhaps was a lack of respect for each other, perhaps for one part of the family versus another, perhaps for one part of the family that was seeking some solace or some comforting or perhaps for one part of the family that wanted to make a point because it felt that it had reached a stage of maturity and it needed to move forward in and of itself and was looking for some self-esteem and was looking to be more assertive in the future.

That is probably the experience that's shared by most of us in our families. Perhaps my own ancestry permits me to speak in those terms because the concept of family has been a centrepiece and a focal point for my way of life and my cultural ancestry.

The essence of family is truly important and I use that as an analogy because I think that's what we're dealing with here. We're dealing with not just a reconciliation for one side to be equal with the other in material ways or for one side to be equal with the other because that hasn't been so in the past; it's more than that. It's the effort to want to belong to that family. It's the feeling of belonging, the sense of belonging. That's what people are saying today about this country: "Where do I belong? How do I fit in?"

I was involved with the Meech Lake process and perhaps there was a negative expression during the last provincial election—pardon me, in 1987, prior to the last provincial election—of a rejection of Meech Lake. That too was an effort to reconcile differences. It may not have been as good an effort as this one is—that's arguable—but it was a genuine attempt to reconcile differences among people who had some differences that had been shared over a number of years.

I think this is an effort that attempts to look at emotions, not only the finer print that's contained in the

document, to look at people who are disconnected at the present time, who do not feel a sense of belonging, who do not feel a sense of purpose, who do not feel they have a meaningful expression in their own country of who they are, where they belong and what they're going to achieve in the future. That's very difficult perhaps to articulate, very difficult to understand. I believe we've seen this over the last number of years. There's this feeling of fracture, this feeling of not belonging to the whole, not belonging to an expression of what can be something better.

Each of us has to make that kind of commitment to a country. It's not easy to understand that, perhaps. I say this particularly with respect to younger people who haven't found their way in their lives yet and are seeking an expression of that understanding, where they will lead in the future, what they'll become and their place in our society. It's more difficult to impose that kind of understanding on people who haven't found themselves perhaps and are looking to become part of the society.

Then you look at what's happening in the whole society with respect to discussions about the Constitution and whether we're going to remain united. Of course there's a considerable degree of heightened cynicism about all our institutions, about the politics we see today. Unless we reconcile our constitutional differences—because that's the only way, my friends, to do that—unless we come together and say, "Let's put this behind us because it is important to do that," then I believe the cynicism will continue to grow in our society, particularly on the part of young people, particularly on the part of people who do not feel as of right now that they have a stake in our country for one reason or another. Perhaps they find themselves unemployed, they find themselves having lost their businesses or their farms.

I think it's essential, it's absolutely crucial, that we put this kind of debate, this kind of acrimony, if you will, behind us. I think that has been the backdrop to the politics in this country over the last 10 years, that kind of bitter division which has led us to this point in our history.

I want to say something about those people who have commented on the No side, those people who have said they will continue to pursue their views on the No side. I respect them for that, but I would like to point out another analogy. I would like to say that they view this country perhaps not with the same generosity of spirit as those of us who would set aside our differences, look forward, look at it as though we were part of a family and say, "Look, I have to make some kind of accommodation for this part of the family, that uncle or that cousin or that child who isn't quite the child I thought he would be but has some difficulties or some problems."

I think the people on the No side look at this in the way you would look at a business partnership. Business partners look at a business relationship—I've gone through this in my own experience—and say, "Look, you haven't done this, that and the other," or perhaps entering into a partnership would say, "We need to detail and document and perhaps in a partnership agreement list all of the things which need to be done, each of our responsibilities."

Those things are detailed in the last aspect of every detail about that agreement. It's done so because there's a concern for material loss. It's done so because of a consideration of economic questions. Those partnerships are doomed to fail because you can't put everything down on paper that you want to. I defy anybody to do that. You cannot foresee every possible circumstance, and that's exactly what we're saying with this Constitution.

People on the No side are saying they look at this perhaps as an agreement among business partners and have said, "Look, you haven't put this in," or, "You haven't put that in," and, "This detail is missing," and, "I don't see where I fit in," and, "You're going to get this, and I'm not going to get that, and therefore I'm voting No because it just doesn't meet my expectations and we haven't put it down on paper."

1130

I would strenuously argue with those people who think that a Constitution has to and should contain every last detail of every aspect of our lives in this country; it cannot possibly do that. Ultimately, what's important is the common spirit we share about the country we live in. The essence of the country, what we think about ourselves, what our identity will be in the future, if in fact we will have a future together, I believe, are probably far more important than anything we could put on paper.

As many people have said in the past, an agreement is only as good as the people who put it together. Quite frankly, in the end that will probably prove to be more significant than the fact that we've left out this representation or that representation, and I don't believe that's the case with this deal.

Just to touch on that for a moment, I think there is great consideration of a variety of aspects of our society that are contained in this deal. I think those have been adequately met. I don't believe for a moment that a better deal could have been constructed. In fact, if we remained where we were, it would not take into consideration this reconciliation.

It does not say to the separatists, "Look, we're giving in to you." We're not dealing with this in a spirit of providing them with another opportunity in the future to say, "We want more." We're not talking to the separatists; we're speaking to people in Quebec who are reasonable, who want to be recognized, who want to be part of this country with a sense of respect, as all Canadians do, who want to feel that they belong to something that promises a better future for themselves and for their children.

The Acting Speaker: I wish to thank the honourable member for his participation. Further debate?

Mr Mike Farnan (Cambridge): Today I want to share with you my concept of Canada and why I will be supporting the Charlottetown agreement. I believe that the referendum to be held on October 26 is of great significance and importance. It will shape our future and certainly will shape the relationships that exist within our country for years to come.

Like millions of other Canadians, I chose Canada as my home, and Canada welcomed me. Canada provides me with the opportunity to live, work and raise my family in a

secure and safe environment, and hopefully, like others, to retire with some dignity and security. Canada also offers to my boys, and to the children of those viewers who are watching, a promise of opportunity for the future.

But Canada, as we all know, is much more. Canada is a family. It's a family of individuals, of provinces and of regions. Like any family, there exist within that family differences in roles, different needs and different concerns. In any family, given the fact that we must live together, there are tensions and indeed sometimes crises. What is important in a family is how these tensions and crises are resolved, be it through communication, listening and sharing, through sensitivity, through generosity and, indeed, through compromise. But the end result of this process is family unity. At the end of a process of sensitivity, generosity and compromise is the possibility of community, caring and commitment.

The Canadian family is no different. Indeed, there are differences: differences of vision from one region to another, deeply held convictions of vision of Canada from one region to another. There are certainly tensions and we would be foolish to deny those tensions tearing at the seams of our country. The resolution, the only resolution, I put to you and to the people of our province, comes through understanding and compromise.

I see the Charlottetown accord as a moment of opportunity. I look at what happened there and the leaders, with vested interests, with visions that are very significantly different, in a moment of generosity, in a moment of caring, were prepared to make those kinds of compromises that could indeed build strength into our family of Canada.

Ordinary men and women did something extraordinary. They accepted the responsibility, the leadership responsibility. They put aside that vested interest, that narrower vision that perhaps was from a province or a region, and they took the grander vision. They took the vision of a Canada and they realized that in order for the division of Canada to survive, they had to somehow make compromises to their regional or provincial vision.

Indeed, they proved themselves statesmen in their dedication to the whole reality, not to a region but to the Canadian reality, and somehow or other in that moment of opportunity they balanced differing interests. The end result is community, caring and commitment. There is the possibility with this agreement that our family remains together, united because of a spirit of sensitivity, generosity and compromise.

I will support the agreement and I will urge my constituents and the people of Ontario and Canada to show the same sensitivity, generosity and compromise that was exhibited at Charlottetown.

The Acting Speaker: I thank the honourable member for his participation. Further debate?

Ms Dianne Poole (Eglinton): I am very pleased to enter into this debate today. Yesterday at Eglinton station in the rain we had an unusual coalition of people campaigning for the Yes committee. We had Conservative MP John Bosley, NDP provincial members Margery Ward and Gary Malkowski, myself as the Liberal member for

Eglinton riding and Murad Velshi, the former Liberal member for Don Mills.

These six politicians from three different parties went out together. What momentous occasion could have brought these people together with such different beliefs, different political values, particularly in an atmosphere which is very partisan and often hostile? Well, the occasion and the issue is Canada and our great love and our great passion for this country. We are united in our belief that we must work together to preserve this country.

There will be those who say the Charlottetown agreement is not perfect and they are right. We could not ever reach perfection, but what we reached in a generosity of spirit was a consensus—a consensus with 10 provinces, two territories, the aboriginal leadership, the federal government—a consensus that took into account the multicultural community, the distinct society of Quebec, the feeling of alienation from the west, the equality of men and women. It took into account the very multifaceted society that we are in Canada today.

So I agree, this is not perfect, but it is something that can help this country stay together and that can give this country the type of leadership we need to get on with it, to get out there and to work on the issues important to Canada.

We have one of the most important, one of the best countries in the world. Other countries recognize it. Why cannot we as Canadians get together and realize that we cannot take the risk of losing what we have? I am a feminist, I'm obviously a woman, but I don't agree with the National Action Committee when it says that this is not a deal that guarantees equality for women.

1140

I would like to read you two passages from the Charter of Rights and Freedoms:

Section 15: "Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability."

Section 28: "Notwithstanding anything in this charter, the rights and freedoms referred to in it are guaranteed equally to male and female persons."

This is confirmed in the Canada clause. I hope we will all vote Yes on October 26. Our country is counting on it.

The Acting Speaker: I wish to thank the honourable member for her participation. Further debate?

Hon Bud Wildman (Minister of Natural Resources and Minister Responsible for Native Affairs): It's indeed a pleasure for me to wind up the discussion on this very important matter before the House on behalf of the government and to express my appreciation to all members of the House who participated in the debate and have put forward their views as sincerely and with such heartfelt feeling as I've heard throughout the debate. I particularly want to thank my colleagues who have accommodated giving me some time, particularly my friend from Durham

West who has given up his place in order to make it possible for me to have a little more time.

I approach the debate not from a feeling of fear, as some have done, about what might happen if the accord that was reached in Charlottetown is not voted for across the country and then subsequently ratified, but rather on the basis of what is positive about that accord. I don't think anything can come from negative feelings such as fear. We should be proud of the achievement of our leaders in this country, from every part of the country, and representing both the native and non-native governments in this country for the remarkable achievement that this accord really is.

Think about it. Seventeen different delegations with very different views, coming from very different regions and backgrounds and origins, came to an agreement, despite having very, very strongly held views which often were in conflict. But they came to an agreement, as many members have said in this Legislature, because of their desire to have a united, prosperous Canada that all of them obviously valued a great deal, just as every Canadian values the opportunity and the privilege to live in this country. This indeed was the Canada round.

Everyone in this country, when they look at the Canada clause and read the Canada clause, will find himself or herself spoken about in the Canada clause. No one in this country today, unlike previous examples, can look at this Constitution and not believe that they are part of this country and part of the Constitution. Yet we did respond to the genuine concerns of Quebec and other regions of the country such as western Canada and the Maritimes, as well as the aboriginal people.

It is indeed the Canada clause, and Canadians are now being given an enormous opportunity to express their views directly on whether or not this Constitution and this accord is the way to go for the future of this country going into the 21st century. It's a great opportunity but it's also an enormous responsibility, not only for each Canadian citizen, but also for their children and their grandchildren.

We will be voting on October 26 to express our views one way or the other on whether or not this is an approach that can lead to a new partnership in this country.

I believe this is a chance for an historic reconciliation in this country, and for that reason I'm recommending the Charlottetown accord to my constituents and to Ontarians and Canadians generally, because I believe that this accord can bring Canadians together, that it can heal the wounds of divisiveness that have plagued our relationships in Canada for many, many years.

This is an inclusive accord. It does not create, as some have suggested, a hierarchy of rights. The charter applies to every aspect of this Constitution and protects the fundamental rights and freedoms that all of us hold so dear in this country as Canadians.

Many have said and talked about in the debate that this is not a perfect agreement, that there are things in it that some individuals and members of various groups and regions of the country would prefer not to be in it and that there are other things that might have been in it that aren't, so perhaps we have not reached the kind of accord that should be voted for on October 26. But we all must

recognize that this was a matter of negotiation. It was much like collective bargaining, but unlike collective bargaining, where you usually only have two sides involved in the discussion, we had 17, representing Canadians from all over this great land.

So how do you come to an agreement? Well, you come to an agreement by listening to and hearing what the other participants have to say and seeing how their aspirations and needs can be responded to, and ensuring that your needs and aspirations can be dealt with as well. What Canadians can be proud of is that their leaders listened and heard the others around the table and responded and compromised.

There are those who would think that compromise is somehow undesirable, but if anyone studies the history of this country, we will all recognize that Canada is indeed in itself, in reality, a great compromise, and that is something we can be proud of in this accord.

I suppose you could get a perfect deal. Any one of us could think up what would be the perfect deal, the perfect arrangement for this country, in our own view. But that is not possible to achieve if you are really going to listen to the others and what they believe the perfect deal might be. If you all are wed to the perfect arrangement, then you're not going to be able to meet the needs and concerns of the others. The great achievement here is that we have in fact done that.

I'm afraid that in the referendum, this great opportunity for Canadians, this great responsibility for Canadians, there will be others who will decide to vote one way or the other, Yes or No, for reasons that I don't think deal with the merits of the agreement or the accord. Some may decide to vote No because they don't like the leaders who negotiated the accord, or they would have preferred to have other people involved in the negotiation. Some who vote Yes might be voting Yes simply because they want to get this over with and dealt with. I have some sympathy with that view. I would like to deal with some of the other pressing matters facing this nation and I believe this accord will help us to do that, if it's ratified. But that in itself should not be a reason to vote for it.

Canadians must look at the accord, they must study it, they must become informed, and they must discuss it with their neighbours and friends and family and determine on the merits of the agreement whether or not they can support it. I encourage every Canadian to do that.

There have been a number of concerns raised. There have been concerns raised about the agreements with regard to the federal spending power, whether or not this would mean that because in certain areas of provincial jurisdiction provinces could opt out of national programs with compensation from the federal government, we could never have new national social programs instituted in this country. Many have suggested child care as an example of one such program that is desirable and that most of us would want to have instituted in this country that might be difficult under this agreement.

I believe the opposite is true. If one looks at medicare and the history of medicare and how it developed in this country, beginning in Saskatchewan, in a small province

that moved forward and led to other Canadians coming to the conclusion that this kind of program should be provided to all Canadians, and then persuading the federal government and the provinces to move together in that regard, as long as, as is pointed out in this agreement, there are national standards that must be met, I think this provides the flexibility that will indeed enable us to move forward with new social programs, not prevent us from doing so.

It will make it possible for a province or provinces to move forward, and in doing that persuade other provinces and the federal government to move forward on a national program.

If there is an individual province or provinces that want to opt out, they will not be able to obtain the compensation, unless they have a similar program meeting national standards. I believe this makes it possible for us to have a national child care program some time in the future. I also support this and recommend it to Canadians because of the inclusion of the social and economic union.

1150

I believe Ontarians should be particularly proud of this provision in the Constitution, because of the efforts of our Premier in bringing this forward early on and throughout the process, and persuading other governments to agree. This social charter, if you want to use that term, commits governments to maintain the social programs that we have all come to realize help to define us as Canadians, as compared to our neighbours in the great nation to the south, for instance. These are indeed part of the essence of what it is to be Canadian and to share the wealth and the opportunity of this nation.

In Ontario, of course, many of us have had some concerns about the accord on the Senate. It's certainly true that as an Ontarian who has been involved in this process for many years, I would have preferred, frankly, not to have had any Senate in a new arrangement in the Constitution. But it became obvious throughout the discussions that if we were going to have an agreement and if we were going to respond to the needs of other regions in this country, we would have to move on the Senate in order to deal with the concerns and aspirations of western Canadians in particular, and also the people of Newfoundland and the government of Newfoundland, but particularly westerners.

As Ontarians, of course, being the most populous province, we were concerned about the proposal for equality of Senate representation by province and what this would mean for our representation in Parliament as a whole. We raised the concern about representation by population in the House of Commons, that if we were to be underrepresented by population in the Senate, we should not continue to be underrepresented as we have been in the past in the House of Commons, the chamber that represents the population of this country. Other provinces heard our concern in that regard. So while they were presenting their need for an equal Senate, they acceded to Ontario's concerns about proper representation in the House of Commons; again, listening and hearing one another and responding.

We agreed to an equal Senate and then the question was: How would the Senate be elected? There were concerns raised about this subsequently by Quebec and those matters will be dealt with as the Senate evolves, I'm sure, in the future. There were questions about gender equality and the province of Ontario, the province of Nova Scotia and subsequently other provinces indicated that they wanted to move forward to ensure gender equality in the Senate.

We were concerned particularly about how the Senate would operate to ensure that it would not hamstring Parliament, that it would not prevent other legislation from being passed, beyond taxation on natural resources which was a particular concern to the west. The proposal was made for joint sittings between the Senate and the House of Commons which of course then would protect central Canada's concerns as well as the concerns of western Canada and the Maritimes.

I believe that the move on the Senate, on the House of Commons, the representation by population, the 18 extra seats with three more to come in 1996 responds to the needs of Ontario.

I'm concerned, though, about some of the comments that have been made about the guarantees for the province of Quebec in the House of Commons, which had similar concerns about the Senate, particularly in relation to its preservation of its linguistic distinctiveness that is confirmed in the Constitution. So the guarantee of 25% has been given. It is important for us all to recognize, as has been said in this debate, that historically the people of Quebec have constituted 25% to 27% of the population since 1867, and the projections are that by the year 2010 Quebec will still represent in the neighbourhood of 23% to 25% of the population.

For me, as the minister responsible for native affairs and that part of the negotiations, perhaps the most important reason I have for recommending this accord to the people of Ontario and to the people of Canada is the enormous progress we've made on the aboriginal agenda. Who would have believed in June 1990, when Elijah Harper, the MLA for Rupertsland, stood alone in the Manitoba Legislature and said no to not being included, that just two years later all the governments of Canada would have recognized the inherent right of self-government for aboriginal people and been prepared to entrench that in the Constitution? Who would have believed that?

This is an enormous achievement. It makes it possible for aboriginal communities to take over roles that federal and provincial governments have had in the past. It also provides for an orderly transition process for the transfer of programs and jurisdictions. It makes it possible for aboriginal people in Canada to control their own affairs in a way that no other indigenous people anywhere on the face of the globe has the opportunity to do.

I said that I approach this accord and recommend it to Canadians on the basis of pride of achievement. If there is

anything that Canadians can be proud of, it's the commitment that their leaders have made to the indigenous people of North America residing in Canada. We can be a model for the world.

Keeping in mind that the Charter of Rights and Freedoms will apply to aboriginal governments, and that is clear, and that the concerns of native women—the Ontario Native Women's Association has come out in favour of the agreement because it believes that the wording that has been arrived at protects its legitimate concerns—I believe we've made enormous progress that will make it possible for us to have greater justice and recognition for aboriginal people in Canada, for them to have greater self-respect and pride, and for us all as Canadians to be proud of a more just and equitable society that should come out of the development and the negotiation of the implementation of the inherent right to self-government in that part of North America that is Canada.

I have a tremendous respect for the aboriginal leadership that negotiated this agreement. I wish them well in explaining it to their people and I commend the agreement to all Canadians.

Having said all this, we all must recognize that a constitution is just a framework, just a blueprint. In itself it will not resolve all the problems we face. For those who would look at a constitutional accord and say it doesn't deal with this matter or doesn't deal adequately with that matter, I say to them that whatever is written on paper in a constitution, however well crafted, all it does is enable governments to respond to the concerns of their people and to deal with their needs and aspirations.

It's a blueprint. It enables governments to work together, to cooperate to resolve the problems we all face, but if there is not the political will to resolve those problems, it really doesn't matter very much what is written in the Constitution. We've many examples of that around the world.

I want to close by saying that all Canadians have a choice to make on October 26. I invite every Ontarian to be involved in this process, in whichever way he or she chooses to be involved, but I invite them to be involved, to become informed, to study the accord, to discuss it with their neighbours, and above all to exercise their democratic right to vote for only the third time in Canadian history, to express their opinion on the future of this country.

I will be voting Yes on October 26. I'll be voting Yes for inclusiveness, for generosity, for stability, for balance. Yes, I'll be voting for Canada and all Canadians.

I would at this time like to move adjournment of the debate.

The Acting Speaker: Mr Wildman has moved adjournment of the debate. Shall the motion carry? Carried. It now being past 12 of the clock, this House stands adjourned until 1:30 today.

The House recessed at 1201

AFTERNOON SITTING

The House resumed at 1330.

MEMBERS' STATEMENTS

TORONTO BLUE JAYS

Mrs Elinor Caplan (Oriole): I stand here today on behalf of my constituents in the riding of Oriole to congratulate the Toronto Blue Jays, the city of Toronto and all of Canada.

Yesterday saw a lot of firsts. On my way home from this Legislature, for the very first time I tuned in to the radio ball game. I listened to the sixth game of baseball's American League Championship Series.

Yesterday, the Blue Jays accomplished a great feat, winning the American League Championship Series. I heard it on radio and then, a first, I tuned it in when I got home. Often it's been my family who have been the fans and sports watchers, but last night I was the one who initiated turning on the television set.

It was a first. A Canadian team has never achieved that before, and I believe it very fitting that it was the Toronto Blue Jays, one of the most successful baseball franchises ever, to be the first to achieve this goal. As Blue Jays fans everywhere watched Candy Maldonado reach for that last ball, we all knew that the World Series dream was now a reality.

I'd also like to praise the Blue Jays fans who've waited for this long-deserved achievement. It's no surprise to me that the Blue Jays fans poured on to Yonge Street last night and exemplified what Torontonians and Canadians are known for: well-mannered behaviour, courtesy and lots of fun. It was a great display of pride in our city, our country and our team.

It doesn't matter if you're a diehard Blue Jays fan or an occasional fan like me: Everyone was proud. We wish them good luck in the World Series.

JUNIOR CITIZENS OF THE YEAR

Mr Gary Carr (Oakville South): In the midst of stories about crime, violence, riots and school dropouts, this is a good-news story about Ontario Junior Citizens of the Year.

This award program is coordinated by the Ontario Community Newspapers Association, with financial assistance by Bell Canada, and the award is given to outstanding young people aged 16 to 18 who represent the "good kids" we all know.

Every young person who is nominated receives a certificate of congratulations. The dozen or so winners are chosen by a committee of newspaper editors and representatives from Bell. They select the recipients.

The Ontario Junior Citizens of the Year receive a plaque citing their accomplishment, a lapel pin, \$200 and a family portrait with the Lieutenant Governor.

Nominees may be involved in worthwhile community service, have overcome disabilities that may be psychological or physical, or have performed acts of heroism, perhaps endangering their own lives.

I take particular pleasure in congratulating Ina Kota, who was named Junior Citizen of the year for 1991. Ina is a resident of Oakville and earned her award for her work in helping immigrant youths and adults integrate into Canadian society. She also makes time to raise funds for charitable and religious works and pursue an operatic career.

I thank the members of the Community Newspapers Association and Bell Canada for their initiative in recognizing the youth of Ontario who work hard to contribute their valuable skills and energy to improving life in their communities.

EVENTS IN PETERBOROUGH

Ms Jenny Carter (Peterborough): In an age where the mass media often dictate culture, the Peterborough community is actively working to define itself, listen to its past and ensure a participatory culture for the future.

This past summer, several initiatives put Peterborough at the forefront of cultural community development. I share them with you as a model of a vibrant society. Grants from the Ministry of Culture and Communications gave assistance to these projects, reflecting the progressive thinking within that ministry.

The Peterborough Festival of Arts gave background support to several projects. The Cavan Blazers, written and directed by Rob Winslow about historical happenings in Cavan township, was performed on his family farm by Fourth Line Players. Due to its success, the play was extended to twice its original run and given prominent national media coverage.

Harvest Moon Rising, written by local author Peggy Semple, was produced by Bea Quarrie of Quarrie Productions and Susan Spicer of Writers Workshop Theatre to wide local and critical acclaim.

Otonabee River Chronicles, performed on Labour Day weekend in cosponsorship with the Peterborough Labour Council and Ground Zero Productions, was the culmination of a summer-long research project to investigate local history through stories borrowed from labour, women, natives and so-called "ordinary" Peterboroughians. The result: A multimedia outdoor presentation captured lost voices in a moving and dynamic exploration of community myths and folk tales.

There are also many other local projects, like the 500 Years Timeline and the New Music Festival that strive to address the search for community and our place in it.

PROPERTY ASSESSMENT

Ms Dianne Poole (Eglinton): Today, at 4:30, hundreds of merchants and residents will be rallying at the historic site of Montgomery's Tavern in my riding to reenact the Mackenzie Rebellion of 1837. I will be joining them. We will be marching in protest to the front steps of Metro hall, where we will symbolically hand over the keys to our homes and our businesses.

You may ask what catastrophe is on the horizon that would force the people of Toronto into rebellion. That catastrophe is market value assessment.

This convoluted, tortured scheme was dreamed up by a group of NDP councillors to save their necks in the next election, at the cost of Toronto businesses and ultimately our homes. Even people who support market value assessment in principle are disturbed by this politically opportunistic plan that some Metro councillors are trying to force down our throats.

There are many people who say the current property tax system is unfair and that reform is long overdue. Frankly, I agree with them, but not with this plan and not at this time. In the midst of a recession, this plan could be the straw that breaks the camel's back.

Under Metro's scheme, Toronto businesses are looking at tax increases of 200%, 400% and in some cases 800%. Estimates in my riding of Eglinton are that if this plan goes through, two thirds of the small businesses will be closing their doors for ever, and our home owners are facing the same devastating picture.

We in the Legislature will soon be forced to take a stand on this issue. I say to all members: property tax reform, yes, but not at the cost of destroying the city of Toronto.

CORPORATION FILING PROGRAM

Mr Cameron Jackson (Burlington South): I join my colleague the member for Dufferin-Peel to speak against the latest NDP tax grab, the corporate filing program that began in July of this year.

Burlington companies struggling to cope under the recession were recently hit with yet another hidden NDP tax. In a letter from the Consumer and Commercial Relations ministry, they were ordered to pay a fee in the amount of \$50 for profit corporations and \$25 for non-profit corporations. The ministry threatened that failure to pay the fee would result in "serious consequences."

Among the numerous letters I have received from outraged constituents is one from Patricia Yurincich, which best summarizes the anger shared by many: "By providing a toy-lending library and a drop-in centre for over 100 families in Burlington, we are providing a service for the community—and yet they stick it to us!"

Fred Wyeld contacted me to say that the filing fee does not even make opening the books of one of his companies feasible. Peter Stickle, a businessman who dared to complain by calling the 1-800 number to say the fee could represent a day's net profit for a small company, was told in a callous way by a civil servant that he "could always write it off."

This tax is dishonest, it's hidden and it's excessive. Halton residents saw through the Liberal GTA tax grab and responded by throwing out almost every one of their members in the last election. Ontario residents are seeing through this latest NDP tax grab, and their message is clear: "If NDP politicians write us, the taxpayers, off, then at the next election, Noel Duignan and his socialists can write their seats off too."

JAMES NICHOLAS

Mr Peter Kormos (Welland-Thorold): I'm really pleased to be able to advise the Legislative Assembly this afternoon that James Nicholas of Welland has been nominated for the Nobel Peace Prize. His nomination was made earlier this year by Professor Jan Tinbergen, a Nobel laureate himself from the Netherlands.

James Nicholas is a long-time Welland resident who has been a professor at Niagara College for years now, since the beginning of that college's operation in the community. He has been a leader in this country in the peace movement and is the international secretary of the World Council for Global Cooperation, a conglomerate, if you will, of Nobel laureates that he brought together and led to the point where they created the Toronto Appeal. That Toronto Appeal was presented to the Secretary-General of the United Nations in a private audience by James Nicholas in May 1992 and earned the support of the Secretary-General of the United Nations.

James Nicholas, I tell you, is a worthy recipient of this nomination. I am confident that all of the members of this Legislative Assembly join me in congratulating James Nicholas and his family for his accomplishments and for that recognition of his work. I extend special thanks because James Nicholas has been my teacher and my mentor, and he and his family are long-time friends. I'm sure we all wish him every success.

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OSCAR PETERSON

Mr Steven W. Mahoney (Mississauga West): I want today to pay tribute to a great Canadian and resident of Mississauga, Dr Oscar Peterson. Many of the members present will know him as Canada's ambassador of jazz, a pianist and composer of international fame. This year he joined that group of exceptional Ontarians who have been awarded the Order of Ontario.

As chancellor of York University, Dr Peterson is inaugurating the Oscar Peterson Opportunity Awards. Dr Peterson strongly believes that education is the key to personal success and to harmony both in Canada and throughout the world.

The Oscar Peterson Opportunity Awards will provide high school students in the Jane and Finch area in Toronto with the opportunity to attain higher education. The awards will provide financial assistance to junior high school students to enable them to continue their studies towards university, to candidates for teacher education, and to first-year fine arts students.

Tonight at Roy Thomson Hall these awards will be launched—very appropriately, I might add—with a gala tribute to the man whose vision and dedication made them possible. It is billed as a unique evening of film, music and friends, with Norman Jewison as master of ceremonies.

I extend my congratulations and best wishes for success to Dr Oscar Peterson and his many friends and family who will join together this evening to pay tribute to him.

TORONTO BLUE JAYS

Mr Ernie L. Eves (Parry Sound): I must admit that at 6:22 yesterday evening I was not in my seat in the Legislature. Like the Premier and the Treasurer, I was elsewhere, seeing for myself, first hand, the first time a Canadian team, or a non-American team, has made it to the World Series.

The Toronto Blue Jays have done what the Premier, the Treasurer and the NDP government can't do, and that is to increase tourism in the province of Ontario. The World Series will bring some \$23 million in tourism into the Metro Toronto area and will result in an increase of 50% in hotel accommodation while it's taking place.

The Toronto team, of course, was the first in league championship history to wrap up a series in six games. They overcame the largest deficit ever—which is something I wish the Treasurer would take into account—to win the game on Sunday afternoon in Oakland. This will of course give exposure for Toronto, Ontario, and indeed Canada throughout the world.

The franchise is 16 years old, and I've been a season ticket subscriber for some 12 years. I couldn't help but notice a banner at the game yesterday which said, "Our Canada includes the World Series." By October 25, we could well be world champions, and I hope that by October 26, our Canada will include everyone.

WASTE REDUCTION

Mr David Winninger (London South): I'm pleased to rise in the House today to recognize work each one of us can do to help our environment. In particular, I call attention to Bell Canada's office complex in London, Ontario.

Two weeks ago, this office began its Zero Waste program. Waste is being significantly reduced by using the 3Rs approach. Reducing waste production has been accomplished by using smaller waste-baskets accompanied by blue box recycling bins. Reuse has been accomplished by using non-disposable coffee mugs. Recycling of all paper, cans, bottles—and even food waste, by vermiculture or worm composting—helps accomplish the third R.

These simple means can have enormous results. Bell Canada's office complex in London plans to produce 17.5 times less garbage by the end of 1993, reducing trash output from a present 385 kilograms a day to only 22 kilograms a day by the end of 1993.

I would also like to call attention to the work being done at the London Free Press. Virtually all 800 employees take part daily in recovering waste as well as reusing ink in the printing of this daily newspaper.

These success stories in London are but two examples of the numerous efforts across Ontario to help the environment by using the 3Rs approach. I commend Bell Canada, London and the London Free Press for their initiatives in waste reduction. May other corporate citizens follow their lead in significantly reducing the amount of garbage produced in this province.

PAULA TODD

The Speaker (Hon David Warner): On a point of order, the member for Bruce.

Mr Murray J. Elston (Bruce): I would say, Mr Speaker, on a point of interest more than anything else.

It has come to my attention and the attention of a good number of the members that one of the members of the press gallery, Paula Todd, is being assigned to other duties out of Queen's Park. On behalf of the Liberal caucus, I just wanted to rise and extend our warmest congratulations for her elevation to new duties, to thank her for her coverage over the years and the thorough way in which she has done her work.

Without being too lavish, lest somebody thinks she is representing one party instead of the others, we do wish every member of the press gallery, when he or she moves on to other duties, every best wish when we find out about it in time, and I thought I would raise that now for the House's edification.

The Speaker: Would anyone else like to contribute to the point of interest?

Mr Ernie L. Eves (Parry Sound): On the same point of interest, I have known Paula Todd in her capacity here for some years now. She has certainly been a very direct, forthright reporter, and much more than that, I might add. I've had the privilege of appearing with her on Global TV on a couple of occasions. She certainly is very insightful and has always brought a high degree of professionalism to her profession. I think we hear all too often about the criticism we have sometimes of people in the media. I just wanted to say to her that we extend our best wishes in her future endeavours.

Hon Floyd Laughren (Deputy Premier, Treasurer and Minister of Economics): I wasn't aware that one of the leading lights from one of Toronto's leading tabloids was leaving Queen's Park, but I do wish Paula Todd well. Since she writes for the Toronto Star, I wasn't surprised that a Liberal member was the first on his feet to wish her well. I would echo the sentiments of the members opposite in commenting on Paula's qualities as a journalist and wish her well in her new endeavours.

The Speaker: I think indeed, member for Bruce, that you have found in fact a point of order in all this, and I'm sure the remarks by the members are greatly appreciated.

Mr Elston: Will you put this together and send it to her paper?

The Speaker: It might appear in the Star.

VISITOR

The Speaker (Hon David Warner): I would like members to welcome to our gallery this afternoon a former member for the riding of Durham North, Mr Bill Ballinger, who is seated in the members' gallery west.

Hon Floyd Laughren (Deputy Premier, Treasurer and Minister of Economics): I'd like to welcome Bill Ballinger back to these confines as well.

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STATEMENTS BY THE MINISTRY AND RESPONSES

ECONOMIC OUTLOOK

Hon Floyd Laughren (Deputy Premier, Treasurer and Minister of Economics): I am today releasing the Ontario Economic Outlook document, which outlines the state of our province's economy.

The events in recent weeks in Canadian and international financial markets highlight the uncertainty we face in attempting to predict and manage the economy. Despite this uncertainty, we have a responsibility to provide our best understanding of the outlook for the economy and of the policies needed to support recovery. That is the aim of this document.

The outlook document shows that while there has been some growth in the Ontario economy, that growth has been quite moderate compared to past recoveries. The Economic Outlook's figures are testimony to the depth of the restructuring that is taking place in the Ontario economy. The economy has grown 2.7% compared to the 8.3% in the first five quarters following the last recession. Unemployment will decline painfully slowly. Growth in employment will resume only in the fourth quarter of this year, and in 1993 we expect that some 100,000 jobs will be created.

The economic figures also mean a continuing financial challenge for our province. Revenues will recover only slowly. At the same time, our population continues to need increased government services such as training, social assistance, education and health care.

In our April budget we forecast a \$9.9-billion deficit for the current fiscal year. While slower-than-expected nominal economic growth will reduce our revenues this year, we remain committed to achieving that budget deficit target.

We believe that government leadership is an important ingredient in helping the economy reach its full potential. I am confident that with the economic initiatives undertaken by our government, working in partnership with the province's adaptable and highly skilled workforce and its dynamic business community, Ontario can build a strong foundation for a sustainable recovery.

Times are still very tough for a lot of people. It is precisely for this reason that it is imperative that we continue to move forward with our economic agenda. That is why I would also like to take this opportunity to report briefly on some of the highlights of our economic plan—those that relate to jobs.

Major macroeconomic levers—trade policy, monetary policy, interest rate levels—lie with the federal government. However, even though a provincial government cannot solve every problem, it does control some important economic levers, and has an obligation to use them.

In our budget last spring we made a substantial commitment to job initiatives which will support some 90,000 jobs in 1992-93.

In June I announced that various ministries would be investing \$360 million this fiscal year under Jobs Ontario

Capital. The moneys are part of a five-year, \$2.3-billion fund designed to invest in strategic economic infrastructure. With the remainder of this year's \$500 million allocated from Jobs Ontario Capital, it is expected that a total of 9,800 jobs will be created.

Our \$3.4-billion investment in base capital, which is in addition to the Jobs Ontario Capital, will support a further 67,000 jobs this year.

The Jobs Ontario Homes fund will support \$2.1 billion in construction, creating 20,000 additional units of much-needed affordable housing. As the program gears up in the coming years, it will support some 30,000 jobs.

This summer, in response to the needs of our young people, our government created the Jobs Ontario Youth fund, which quickly and successfully created 8,800 summer jobs for young people.

Another initiative, the Jobs Ontario Training fund, has commissioned dozens of training brokers serving communities in every corner of this province. Some \$1.1 billion in funding will be flowing over three years through these community brokers to employers who in turn will train and employ the long-term unemployed and those on social assistance while providing training credits for an employer's current workforce. Over the next three years, this program alone will support 100,000 jobs, 10,800 of them this year, the program's startup year.

Our government is also funding programs to help older displaced workers. We operate Ontario help centres in 18 major communities and will soon establish the Ontario Training and Adjustment Board.

In our budget we announced a total of \$930 million for training and adjustment programs, the largest such commitment in the history of this province.

In addition to jobs and training measures, our government has taken steps to encourage investment, which will also help job creation. The \$150-million sector partnership fund and the Ontario investment and worker ownership program are examples of our government's investment initiatives.

Our government is creating and supporting jobs today, and in each case we are doing that with a careful eye to the future and on what government can reasonably do.

We have come through some difficult times and we still face some challenges. But we also have a wealth of assets to help us deal with these challenges. We have one of the highest standards of living in the world, a highly skilled workforce and abundant natural resources. Our culture is diverse, our infrastructure modern.

Ontario has faced economic changes more than once in its history. It has made the transition to a highly industrialized economy based on exports. This transition was accompanied by dislocation and often hardship, but Ontario made it successfully.

The current challenge facing the economy is to increase its orientation to high-skilled, high value added activities in all sectors of the economy. Business services and knowledge-intensive industries based on technology and skills will supply about 40% of our employment growth over the next two years, reflecting the shift in the structure of our economy. With government playing a role as an

active partner, I am confident that Ontario can again make this latest transition successfully while easing much of the hardship and dislocation through job support initiatives and through the safety net created by our continuing commitment to social programs.

There will be many challenges ahead, and Ontario is well equipped to deal with them. We have also got a head start on many other countries. The Economic Outlook also points out that our economy is forecast to grow at 3.5% a year over the 1992-1996 period, a stronger pace than any industrialized country. If we work together as partners, I believe Ontarians can continue to enjoy the prosperous and fair society for which they have worked so hard.

The publication of this Economic Outlook marks the beginning of budget preparations and will be part of our pre-budget consultations to come. I have asked that it be sent to the standing committee on finance and economic affairs so that my colleagues will have the opportunity of discussing it in detail if they so wish.

Mr Gerry Phillips (Scarborough-Agincourt): I'd respond to the Treasurer's Economic Outlook to say that it's sad reading. I think all the members of the Legislature will be disappointed with the news in it, and I would say to the Treasurer I think it's an admission that the economic plans of the government are not working. We see the unemployment rate in the rest of Canada dropping and the unemployment rate in Ontario going up. In August the rest of Canada's unemployment rate dropped; Ontario's went up significantly. In September's unemployment rate, every single province dropped but Ontario.

I would say that this is one in a series of documents, almost every two to three months. The latest document we had was the one dated June, the Treasurer will remember, Ontario Economic Report. That time it promised that there would be job growth occurring in 1992 and, sadly, we see that we are losing more jobs again in 1992. The unemployment rate will go up; the number of jobs will decline in 1992 in Ontario.

I will say to the Treasurer that the saddest thing in this document is the lack of an economic plan to get the economy going. I think the people of Ontario will remember that the Premier, a year ago, said: "We have an economic program. We have a training program. We have something called the Ontario Training and Adjustment Board that will solve our training needs and we will bring in the legislation" in the spring. We have not seen that. That was supposed to be the cornerstone of your economic renewal plan.

You promised that you would have the Ontario investment fund well under way by now. It is still out for consultation, and by all accounts, at least two of the major potential partners in it have said they don't want to participate in it. That was going to be another cornerstone in your economic renewal plan.

You said that the Ontario Labour Relations Act amendments would bring in harmony and partnerships in the workplace. I will say to you and the government, as directly as I can, there has been nothing that has so divided the business community and the labour community as that bill and there is nothing that has done more to harm poten-

tial investment in this province than that bill. That's not mentioned in your economic report card.

You brought in the worker ownership program, which was supposed to be something that would encourage participation by the workers in this province, and the major participant in it, the Ontario Federation of Labour, said it will not participate. They won't participate in it. They say they won't do that.

So what we've got now is, sadly, the major cornerstones, the blocks, that were going to be used by Premier Rae and this government to get the Ontario economy going, every single one of them is not working.

What we've got today, as you will see in the document, is that Jobs Ontario is the cornerstone of this. I would say to the Treasurer, as I've said many times, it is telling the people of Ontario about a program that frankly is spending less money this year than you spent last year. I'm not saying, "Go out and spend more money." I am saying, "Be straight with the people of Ontario." The Jobs Ontario Capital fund, and I hope all the members of your caucus understand this, is spending less money in 1992-93 than was spent last year.

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I accept you will maintain 90,000 jobs, but you are not creating one single new job. I would say to the Treasurer that your Economic Outlook is a document that will be greeted, I think, with a good deal of sadness in the province, particularly by those people who are out of work, which indicates that rather than your promised unemployment rate dropping this year, economic growth recovering in a very significant way and 125,000 new jobs this fiscal year, you now are saying that's not going to happen. We see our unemployment rate continue to rise.

The most important thing to the Legislature is the promised economic renewal plan with the Ontario Training and Adjustment Board, with the Ontario investment fund, with peace and harmony through the Ontario Labour Relations Act amendments and with the whole worker ownership. None of those things is here before us. What we've got is not only sad news, but the saddest news is that the economic plan the government had promised, that the Premier a year ago said we would have here, is not here.

I not only am sad about these numbers; I question the future numbers in this document as well.

The Speaker (Hon David Warner): Responses from the third party?

Mr Norman W. Sterling (Carleton): I had hoped there would have been some kind of good news or some kind of recognition on the part of the Treasurer with regard to the present problems we face in Ontario and our economy.

He continues to hold out the false figure of \$9.9 billion as our deficit. He has no assurance from the federal government that he is going to receive \$1.2 billion, which he is counting as revenue. He has no assurance that he is going to sell off assets of this province worth \$1.2 billion—he hasn't found a buyer yet—which he assumes as revenue in his budget statement for this year. He has also jiggered the books, as we all know, by postponing a \$500-million payment to the teachers' pension fund.

We have never had a Treasurer fool around with the books or create bogus accounting as we have with this Treasurer and with this government. When one reads the economic forecast today and reads the budget of this Treasurer some six short months ago, one is shaken by the fact that his projections for economic growth are now admittedly out by 35% from what his budget stated six months ago. If he's out by 35%, how can his revenue projections be in line? He says he's going to hit his target of \$9.9 billion.

His projection in his budget some six short months ago as to how much unemployment was going to take place in this province was 9.6% unemployment. Today we find out the sad news that the Treasurer was wrong again. It's going to be 10.8%. That's an error of 15%.

I find it mildly amusing that not only is the Treasurer within this document trying to predict what's going to happen next year; he's trying to predict what's happening five or six years hence. This Treasurer can't even predict six months in advance, let alone six years in advance.

We are shaken by the incompetency of the economic forecasting and the economic planning of this government. The business community, the investment community and the workers of Ontario are looking for stable fiscal management. They are not getting it from this government because report after report corrects previous projections, normally going in a more detrimental direction for the province of Ontario.

There are two things this Treasurer could do in order to help the economy of Ontario. I don't think this document today, quite frankly, helps the economy or helps anybody in this province at all. There are two things this Treasurer can do: Get tough and quit spending; speak to the Minister of Labour and kill Bill 40. That will help more than anything else.

Mr Gary Carr (Oakville South): We've been telling this Treasurer for two years that he can't continue to tax and spend like there's no tomorrow. Tomorrow is finally here and your economic plan has been an absolute disaster. Ontario's economy is the worst of any of the provinces. Your \$9.9-billion deficit, you will have to have massive cuts to reach that. This Treasurer, in this day and age when consumer confidence is shaken, says he may raise taxes. This Treasurer worked 20 years to become Treasurer. It's going to take us 20 years to clean up after this government leaves.

Mr Chris Stockwell (Etobicoke West): In regard to the announcement today by the Treasurer, these numbers are very serious and very discouraging. The saddest part about the announcement today is that these numbers aren't even accurate. These numbers don't reflect the economic state that this province is in.

This Treasurer has gerrymandered these numbers. He's massaged them to bring them in to look even better than sadly they look today. This Treasurer is using the people of Ontario and he's using them in the saddest way possible: through unemployment and welfare gerrymandered numbers. Mr Treasurer, you should be ashamed of yourself.

VISITOR

The Speaker (Hon David Warner): I invite all members to welcome to our gallery this afternoon a special visitor from Germany, the Honourable Monika Griefahn, who is the Minister of the Environment of Lower Saxony, Germany. Welcome.

TRANSPORTATION

Mrs Lyn McLeod (Leader of the Opposition): Mr Speaker, on a point of order: Before we begin question period, I would ask whether or not the Treasurer would consider making a statement in the House in response to the accusation of Premier Frank McKenna that it is Ontario that is responsible for the failure to go ahead and implement the national transportation program.

I make this request as a point of order because certainly the Treasurer and others of us in this House will be asked to respond to Mr McKenna's statements as we leave the chamber and I, for one, would like to have the benefit of the Treasurer's position on the issue before having to respond.

The Speaker (Hon David Warner): It would require unanimous consent to revert to statements by ministers. Do we have unanimous consent? No, I heard at least one negative voice.

It's time for oral questions. The Leader of the Opposition.

Mrs McLeod: I did not feel that was an unreasonable request since I think that the attempt on my part was to be able to offer an informed response, informed by the position of the government. If the accusation made by Mr McKenna was not accurate, I would appreciate knowing that before I criticize the government for an inaccurate statement.

The Speaker: Is this the member's question?

ORAL QUESTIONS

AUTOMOBILE INSURANCE

Mrs Lyn McLeod (Leader of the Opposition): Mr Speaker, there is no end of areas that we wish to ask this government about today so I will have to just respond as I see fit in the absence of information being conveyed by the government, and my first question will be to the Minister of Financial Institutions.

Yesterday I asked the minister very directly whether or not Ontario consumers will face auto insurance premium increases as a result of this minister's Bill 164. The minister responded, "It is my belief—I repeat, my belief—based on the studies I have seen, that we can implement these changes without any premium increases."

Today a Coopers and Lybrand study was released which shows very clearly that Ontario car insurance rates could go up by an average of \$200 per vehicle once Bill 164 passes.

What does this minister say now? The study shows that individual premiums could go up by \$200. Will the minister now admit that this bill could well have a devastating impact on the consumers of this province?

Hon Brian A. Charlton (Minister of Financial Institutions): The leader of the official opposition raises an

interesting question as a result of the press conference this morning. She raised yesterday whether the government has done a study. We have done a very thorough, very comprehensive actuarial study of Bill 164.

This study that was released this morning by Coopers and Lybrand is not an actuarial study of Bill 164. In fact this study doesn't even include any precise conclusions that were reached at the press conference this morning. The conclusions that were reached at the press conference this morning about numbers and percentages were in fact concluded at the press conference on the back of an envelope while the press stood and watched.

This minister does not agree that the press conference by State Farm this morning indicates any serious jeopardy to the drivers of this province in terms of premium increases.

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Mrs McLeod: The minister has continually refused to provide any definitive answers as to his estimates of costs, so it's very difficult for us to give his particular studies any credibility. I believe that the consumers of this province will take this new study very seriously indeed.

We continue to have the minister saying that he believes premiums will not rise for Ontario drivers. He's quoted in today's press as saying, "If the industry were to take unnecessary action in terms of raising premiums, we're prepared to take action."

I would again ask the minister, will he not admit that the only way he can stop premiums from rising when his bill becomes law is to step in and freeze the premiums? If that's the kind of action he's contemplating, let him admit that now.

Hon Mr Charlton: Firstly, no, I won't admit that, because it doesn't happen to be the case but, secondly, the Leader of the Opposition stood here and based her comments this afternoon on a press release and a study released by State Farm this morning. The Leader of the Opposition should understand that part of what was said at the press conference this morning was that premiums in this province are presently underpriced 3%, that comment coming from a company that just a few short months ago was bragging about its profitability. Perhaps the Leader of the Opposition should take the time to look at the most recent profit figures, which still indicate an industry turning over profits of \$700 million to \$800 million per year, far in excess of any other sector in the economy.

Mrs McLeod: The minister simply is not prepared to come clean about what his legislation will do. It seems very clear that if the minister takes action, if he feels he has to step in to freeze premiums to prevent his legislation hitting consumers directly in their pocketbooks, if the insurance companies then have to absorb even one half of the costs of the bill, the Coopers and Lybrand study says that as many as 2,000 insurance industry jobs could be lost in the province of Ontario.

If this is really, as we fear it may be, the back-door way into public auto insurance, the minister already knows that 10,000 jobs in this province would be lost. This province can't take any more. In spite of the Treasurer's rather cre-

ative reporting earlier this afternoon, we know that every working day 547 people lose their jobs in this province and that one plant closes every three days. In light of that reality, in light of what this legislation will do, I ask why the minister is so determined to proceed with this plan.

Hon Mr Charlton: This government made commitments around—

Mr David Tilson (Dufferin-Peel): What do you mean? It's a complete reversal of what you said they were going to do.

The Speaker (Hon David Warner): Order.

Hon Mr Charlton: —made commitments about dealing with the problems that were identified with Bill 68, the OMPP. This government intends to proceed to fulfil those commitments, but the Leader of the Opposition, before she gets herself too far out on a limb on this issue, should understand that State Farm Insurance was out there doing this press conference this morning on its own, because the Insurance Bureau of Canada doesn't happen to hold precisely the same position and the industry is quite divided around the numbers that were provided this morning.

ECONOMIC OUTLOOK

Mrs Lyn McLeod (Leader of the Opposition): In light of the Treasurer's earlier statement, I'll direct my second question to the Treasurer, although we have not had an opportunity to read in detail the brand-new, revised Economic Outlook that he has presented us with today. It seems very clear, somewhat not to our surprise, that the Treasurer is saying in this budget statement that our revenues this year are going to be down. From the time this Treasurer presented his original budget, we've said that he had completely overestimated his revenues. I would ask the Treasurer today if he would tell us how much of his projections his revenues are going to be. What can we expect to see when this budget year is finally completed?

Hon Floyd Laughren (Treasurer and Minister of Economics): I appreciate the surprise question from the leader of the official opposition. Within a couple of weeks, we intend to table the second-quarter Ontario Finances, which will provide some detail that we're now finalizing on our revenues to date and our projected revenues for the rest of the fiscal year. There is no question whatsoever that because of the slowness in the economy—I might add that despite some of the comments opposite, nobody out there, no independent forecasters, whether a bank or a consulting company, nobody forecasted the slow growth in the economy this year; absolutely no one.

Mr Norman W. Sterling (Carleton): Ask any of us. We did.

Mr Chris Stockwell (Etobicoke West): We did.

Mr Michael D. Harris (Nipissing): You didn't listen to me in the last campaign.

Hon Mr Laughren: I'm talking about people with some credibility in this field, and none of them—

Mr Stockwell: And they were wrong.

The Speaker (Hon David Warner): Order.

Hon Mr Laughren: I don't intend to get partisan about a matter as important as the Ontario economy or forecasting, but I do want to say that the last people anybody should have to receive a lecture from on their ability to forecast revenues or deficits is the official opposition; nobody should have to take that.

The details that the leader of the official opposition is seeking will be provided in the second-quarter Ontario Finances when it's out in the next couple of weeks.

Mrs McLeod: That response strains credibility, that the Treasurer is not able to look beyond the immediate day to give us his estimate of what the second-quarter budget figures will look like and what his revenue projection is for the end of the second quarter. We have in front of us his estimated revenue picture, his budget picture, for the end of the first quarter. We're not asking him to be partisan. We're not questioning the credibility of the numbers which might be produced. We're asking him to share those numbers with us honestly. How much are your revenues down when you tell us they're down? What is your budget going to look like, Mr Treasurer?

Hon Mr Laughren: It would make no sense to dribble out the content of the second-quarter finances day by day. When all those numbers are assembled and put together in a form that's comprehensible, then they will be presented to this assembly and members will have an opportunity to comment on them.

I stated earlier that we were going to have some revenue problems because of the slow growth in the economy, but that we would compensate for those by actions on the expenditure side. Just to remind members, last year, for every dollar we raised in taxes, we restricted expenditure growth by \$4. So I can tell you that we have a commitment to restricting the growth in expenditures, and that commitment remains.

Mrs McLeod: The Treasurer is absolutely right. We don't want him to dribble out the information. We want him to tell us what the facts are. We want him to tell us what his projections are of his revenue loss. The trigger for this question is the Treasurer's own statement. I'm simply raising the issues that he's raised by voluntarily bringing this statement to the House today. I quote back to the Treasurer:

"In our April budget, we forecast a \$9.9-billion deficit for the current fiscal year. While slower than expected nominal economic growth will reduce our revenues this year, we remain committed to achieving the budget deficit target."

1420

If the Treasurer is not willing to share with us what his estimated revenue loss is, will he at least be prepared to tell us how he expects to accommodate his unknown revenue loss and the fact that he is going to maintain his deficit at \$9.9 billion?

I would say to the Treasurer, you cannot dribble out that kind of knowledge to the people who are your partners in trying to provide service in this province. I heard the Premier on television in January say to the people who are the transfer agency partners: "Do your part. We expect you

to do your part." Mr Treasurer, the least you can do is tell us who is going to pay the price for your revenue loss. What part of the transfer agency partner is going to have to pay for this price?

Hon Mr Laughren: I really will try and make it crystal clear that I'm not trying to hold back any information. I'm not unwilling to share information we have, but the leader of the official opposition should know that the second quarter fiscally ends the end of September. It takes basically the month of October to accumulate all the numbers and put it in a form that's intelligible.

I don't have the numbers the leader of the official opposition is seeking today and those numbers, when they're available, will be released in the form of the second-quarter finances for the province of Ontario. There's nothing secret about it at all. That's the way it is.

Mr Sean G. Conway (Renfrew North): That's a point of parliamentary privilege, what you've just done. You can't come in and make those kinds of statements and say you have no facts to support—

The Speaker: Order, the member for Renfrew North.

AUTOMOBILE INSURANCE

Mr Michael D. Harris (Nipissing): I'd like to go back to the Minister of Financial Institutions concerning the study that was released this morning by State Farm Insurance.

Mr Minister, the independent study that was done by Coopers and Lybrand showed that 2,000 jobs, most of those in small Ontario- or Canadian-owned companies, many in small-town and rural Ontario, were at risk and would likely leave the province. In addition to that, up to \$2.6 billion of capital very likely will leave the Ontario economy and go elsewhere.

For months now we've been telling you and the experts in the insurance industry have been telling you what a shoddy bill this was and what the results of that would be. Now an independent study shows job losses, flight of capital and rate increases up to \$200 per driver.

We already know Bill 164 plans to limit the right of a company to leave Ontario; you plan to force them to stay here after you bring this bill in. Can you assure me of this, that as a method of preventing rates from going up, because every study including yours says costs will go up, you will not do as the Liberals did and bring in an artificial cap on the increases the private sector industry can charge to meet the obligations of Bill 164? Can you give us that assurance today?

Hon Brian A. Charlton (Minister of Financial Institutions): Let me first deal with the question of the study which the leader of the third party has yet again raised. I repeat, this document which was released this morning is not an actuarial study of the costs of Bill 164 and the authors of that study openly admitted that at their press conference this morning. This is not a study of the costs of our legislation. It is in fact rather a hodgepodge of questionable assumptions and predictions done by Coopers and Lybrand.

In relation to the question that the leader of the third party ended off with, I have said openly on repeated occasions that this government is prepared to deal with the real consequences of Bill 164 and not to deal with them in an artificial way. Having said that, I repeat what I said yesterday, this minister firmly believes we can implement the package outlined in Bill 164 without any need to increase premiums.

Mr Harris: Coopers and Lybrand states very clearly that for you to implement Bill 164 without any increase in premium rates, several things will happen: (1) You will have to legislate, as the Liberals did, an artificial cap on premiums, not related to the cost of insurance, (2) 2,000 jobs will leave the province, and (3) \$2.6 billion of capital will flee Ontario.

Why are you proceeding with legislation that will cost us badly needed capital, and obviously we need the jobs, and that will also require you to bring in capping legislation, artificially telling insurance companies what they can charge if they want to do business in Ontario?

Hon Mr Charlton: I guess the easiest way to deal with the leader of the third party's question in his supplementary is to say that this study I have before me documents no such things.

Mr Harris: By way of final supplementary, let me ask the minister this, since I can't believe this government continues to discredit reputable firms like Coopers and Lybrand and Ernst and Young every time they do an independent analysis that it disagrees with: In the Coopers and Lybrand study that was released today, they confirmed what David Tilson has been telling you and they confirmed what the Insurance Bureau of Canada has been telling you, and told you months ago, and that is that if you proceed with Bill 164, American and other foreign drivers will not have their insurance in their home countries cover them while they drive in Ontario.

Mr Minister, given that this is the opinion of Coopers and Lybrand and is also the opinion of the insurance companies in the United States, will you commit to halt this legislation until you have an understanding and an agreement from the American insurance companies that when their tourists cross the border into Ontario—which they won't do if their insurance policies don't cover them.

To save what is left of the devastated tourist industry here in Ontario, will you commit to make sure that there is a reciprocal agreement, that every tourist who crosses the border doesn't have to take the bus to your casino in Windsor, that every tourist who wants to drive and come to Ontario, even with the high taxation, even with the high rates here in Ontario, will not have to stop and buy an additional insurance policy as well? Will you commit to that?

Hon Mr Charlton: Firstly, all the best advice we have is that there is no substance to those claims, but secondly, I put a question to the leader of the third party: Is he prepared to sacrifice the safety and wellbeing of the drivers in the province of Ontario around concerns like that?

The Speaker (Hon David Warner): New question?

Mr Harris: Thank you very much, Mr Minister. In two and a half years, you can ask the questions and I'll be there to answer them.

EMPLOYMENT PRACTICES

Mr Michael D. Harris (Nipissing): My second question is for the Minister of Correctional Services. Mr Minister, a woman named Bonnie Seguin called my office during the summer, claiming she had been fired from her job at the native friendship centre in Cochrane for reporting sexual assaults. Subsequently, the person she reported on was charged. That person will go to court next month.

Bonnie Seguin went to your government for help. She appealed to the Premier, to the Solicitor General, to the Ministry of Labour and to the Ontario women's directorate. She appealed to the Human Rights Commission. She appealed to her MPP. She appealed to Judge Inger Hansen, who is conducting the Bell Cairn inquiry. Nothing happened. Then, Mr Minister, she came to me and I raised it in the media.

My question is, since that time, what has your government done to address Bonnie Seguin's plight that she was fired from her job for reporting a sexual assault allegation against a colleague?

[Applause]

Hon David Christopherson (Minister of Correctional Services): I thank the members for that honourable tradition. I know it doesn't last long, so I'll cherish the tradition.

I'm aware of the issue the member of the third party raises. I think he knows that the individual in question was not an employee of this ministry and that any issues surrounding her employment are the matter of the board of directors, and the board's exclusively.

1430

Mr Harris: The individual Ms Seguin reported had a previous conviction for sexual assault, yet he was hired to escort vulnerable women, whose husbands are serving time, to and from prisons. Perhaps you could explain to me how a contract with your ministry was signed for this purpose with the native friendship centre, with this person, the accused individual, identified as the one who would fulfil the contract dealing directly with vulnerable women, when he had a previous conviction for sexual assault on his record. Have you investigated how this could possibly happen?

Hon Mr Christopherson: If I understand the question correctly, then my understanding is that the individual has been charged and the matter is before the courts. I must be careful not to get involved in individual cases that are indeed before the courts.

Mr Harris: That has nothing to do with how somebody with a conviction on his record had a contract and was retained by your ministry. The question is, how could this possibly happen? Have you investigated, when virtually all others who are in these positions have to be bondable before a contract is signed? How could it possibly happen within your ministry that a contract was let with the Indian friendship centre for this individual, given his previous criminal record?

Secondly, how is it that Bonnie Seguin received not one whit of assistance, of help, from your government, from your member who is in the riding, from all the agencies, when she reported the sexual assault on one of her colleagues? How is it that it had to be raised in the media before that could happen? Mr Minister, given that, how is it that you expect any civil servants in this province to feel comfortable in coming forward with allegations of sexual harassment and sexual assault when they do not receive support from the government?

Hon Mr Christopherson: I heard three questions there. I'll deal with the last one first, in terms of the comfort level of employees in this ministry and in this government in coming forward.

There have been a number of serious actions that have been instituted by the previous minister in this regard, not the least of which is the Hansen inquiry, the independent investigations unit, as well as ongoing review of these matters by the Management Board secretariat. There's the Human Rights Commission, there's the Ombudsman; there are at least seven points of entry for individuals who have concerns to raise those concerns and have them dealt with properly.

On the second question, I would again say and remind the member that this individual was employed by an agency that's contracted by the ministry, is not a direct employee of the ministry, and therefore all matters of employment around that individual are the responsibility of the board. On that point, I would also remind the member that when the individual called the previous minister's office, prior to contacting his office that person was advised that he had certain rights under the employment standards provisions of the government and was given information that would allow them to make those inquiries.

On the first question, I would again say that because this matter is in front of the courts, it would not be appropriate for me to discuss the matter further.

ECONOMIC OUTLOOK

Mr Gerry Phillips (Scarborough-Agincourt): My question is to the Treasurer, to follow up on my leader's question. Treasurer, the problem we in opposition have with your document is that you will have raised a lot of concerns in the people of Ontario about how you are going to manage your deficit, with no answers. That's the problem.

I will say to you, Treasurer, that in your Economic Outlook you have forecast what's going to happen to personal income, you've forecast what's going to happen to retail sales, you've forecast what's going to happen to corporate profits. You've got all those forecasts in your Economic Outlook. This is why we're so upset on this side. It seems to us that you've already done all the forecasting in your Economic Outlook that would have allowed you to come forward today with an estimate of what's going to happen to your revenues, and you could have shared with the House your revenue estimates, your expenditure estimates, and how you're going to manage them. What we're going to be faced with now, Treasurer, is several weeks of speculation.

I wonder, Treasurer, if you can indicate why you could not have used your Economic Outlook to give the Legislature a realistic look at our fiscal situation at the same time as we have this Economic Outlook.

Hon Floyd Laughren (Treasurer and Minister of Economics): First of all, there's nothing at all unusual about tabling this document at this point in time. It's been done for years, by previous governments, by this government. It was known affectionately for years around this place as the grey book. So first of all, there's nothing at all unusual about that.

If I could address the member's concerns directly, I suppose—

Mr Steven W. Mahoney (Mississauga West): What is unusual is setting your deficit and then setting your revenue. That's what unusual.

The Speaker (Hon David Warner): Order.

Hon Mr Laughren: I suppose we could have stalled and held this document back for two or three weeks until the second-quarter finances were out, but I don't know what purpose that would serve. Then you would be clamouring about why we were hiding this document and not bringing it forward. So I don't understand the member.

Nothing at all has been done that's unusual. I'm sure he knows that when the second quarter ends the end of September, you don't snap your fingers and get all the numbers in in a week, given the complexity of tax revenues all across the province. It's not physically possible to do that.

Nobody's attempting to hold any information back from anyone, and when the second-quarter finances are tabled in the normal course of events, all will be revealed.

Mr Phillips: The thing I would remind the Treasurer of is that in your statement you said, "In our April budget, we forecast a \$9.9-billion deficit for the current fiscal year." You expect slower economic growth will reduce revenues and you are going to hit your target. So it was you who raised it in here. I am saying to you, Treasurer, that presumably you've done the numbers. Why will you not share with the Legislature your estimate—because you obviously have an estimate now—and how you're going to manage them?

I'm suggesting to you that once again, in terms of managing the fiscal affairs of this province, we're going to have two or three weeks of chaos out there while people are trying to speculate how much you are off and where the cuts are going to take place.

In your Economic Outlook you have all the numbers. Why in the world would you have done the estimate, raised the whole spectre of cuts, and not have come to the Legislature today and outlined for us the magnitude of the problem and how you're going to manage them? Won't that put people in a terribly angst position? Won't people wonder about how you are going to manage this problem?

Hon Mr Laughren: If I said in the statement I read to the members this afternoon that there were going to be some revenue problems, that's obvious; it's obvious to everyone. When you have lower economic growth, you have lower revenues. You don't need to be a rocket scientist to

know that. Therefore, it seems to me common sense to draw from that fact that there's going to be slower economic growth, that there are going to be lower revenues.

You don't have to ask just me. Ask the federal government about its problems with economic forecasting. There's never been a province or a federal government that I've seen that's hit its targets spot on. Therefore, I would just say to the—

Mr Mahoney: So x minus y equals 9.9. What is x and what is y ?

The Speaker: Order. The member for Mississauga West.

Hon Mr Laughren: I don't want to be provocative, but when the member for Scarborough-Agincourt talks about chaos, I can't help but conclude that the only chaos around us is in the official opposition on this matter. I didn't give you the numbers on revenues because I don't have the numbers on revenues. They will all be brought forward with the tabling of the second-quarter finances in the normal course of events. There's absolutely nothing unusual about this process. It's been done this way for years and we are continuing to do it.

1440

ACQUIRED IMMUNE DEFICIENCY SYNDROME

Mr Robert W. Runciman (Leeds-Grenville): My question is for the Minister of Correctional Services. In yesterday's Toronto Sun, the minister is commenting on the fact that inmates in the provincial institutions may get AIDS tests. The minister will be aware that there is a very serious concern in Ontario's penal institutions with regard to the high number of inmates who are infected with HIV. The minister will know that the guards in these institutions are living in fear of being exposed to the blood of HIV-positive inmates. In fact, five guards were exposed to the blood of one such inmate, and now those guards fear they may have contracted the virus. There's another incident of a prison guard who died from AIDS, and it's suspected that he may have contracted the disease through exposure to the blood of an inmate.

While these people are incarcerated, the Ministry of Correctional Services is responsible for their welfare and that of the guards. Will the minister provide some details of what action he and his government are taking to address this very serious problem?

Hon David Christopherson (Minister of Correctional Services): I respond by advising the member that the approach of the ministry to this issue is one of universal precaution, which has every corrections officer in all of our institutions dealing with every offender as if he potentially were HIV positive. Therefore, regardless of who may or may not be positive, all precautions are always being taken.

The initial policy comes from the communicable disease policy which was implemented in April 1989 by the previous government in response to these growing pressures and these issues. In that policy, there's also a requirement for training to take place at least every two years for all corrections officers. That is being followed, and in fact

we're in the process right now of one of the cycles of training. There is also special equipment provided to corrections officers, and again, the whole policy is being reviewed.

There is the issue, which I acknowledge is controversial but is being reviewed, of condoms being distributed, as the federal government has. That is under review, and in my meetings with Dr Humphries, the chief medical officer for the ministry, I am advised that he is comfortable that we are taking every precaution we can for the corrections officers. This is an important issue for the ministry, and it will remain one.

Mr Runciman: As a supplementary, I specifically ask about a testing program. The minister really talked around that issue completely. The press story in the Toronto Sun yesterday indicated that they are going to confine any possible testing I think to provincial jails and provincial detention centres, where accountability is virtually impossible because the residents of those facilities are incarcerated for a very short period of time.

In a test done in Quebec, as I'm sure the minister is aware, 6% of the prison population in provincial institutions were carrying the virus. If you translate that in terms of the Ontario population, you're looking at in the neighbourhood of 4,000 possible carriers of the virus within provincial institutions, so in effect, every day of delay is subjecting guards and inmates to a very high risk of contracting the AIDS virus.

I'm asking the minister again, specifically what is he proposing to do with respect to committing himself and his government to a full testing program of all inmates in provincial institutions?

Hon Mr Christopherson: If the specific question is regarding the article that appeared yesterday and some of the issues around the testing that is being proposed, let me answer very directly. The University of Toronto approached the Ministry of Correctional Services and asked if we would be willing to participate in this study. It was proposed that the federal government would indeed pay for this study. The University of Toronto wanted the statistics to use for part of its ongoing statistical analysis. The federal government, as I understand it, is very interested in funding this.

The question of anonymity is an important human rights issue, and the offenders inside the institutions are being guaranteed that this is anonymous testing. The results would be found through urine samples that are given voluntarily when offenders are admitted into institutions. There's also, I believe, a 5% figure that is thrown away at random so that there's no way to determine who the individuals are. That's consistent, I would hope, with the beliefs of the honourable member across the way. That is certainly consistent with the policies in other institutions across Canada and North America.

HEALTH SERVICES

Mr Pat Hayes (Essex-Kent): My question is to the Minister of Health. Madam Minister, my concern relates to the treatment of people with head injuries. You have stated that it's your genuine intent to ensure, as a last resort, that

treatment can be obtained in the United States until appropriate facilities are available here.

I've been told that the health insurance division was arbitrarily overruling assessments and recommendations of clinical staff regarding survivors of head injuries and on several occasions unilaterally made decisions to discharge patients despite sound clinical advice to the contrary.

Obviously, the decision to begin or terminate treatment should be assessed from a professional medical perspective and not an economically driven administrative standpoint. Madam Minister, will you provide assurances to the people with head injuries and their families that assessments and recommendations made by Ontario clinicians, recognized by the health insurance division, be approved and not overruled, as has been happening, I'm told, in the past?

Hon Frances Lankin (Minister of Health): First of all, let me assure the member that decisions are not being made simply on the grounds of economic or fiscal considerations. The decision-making process with respect to these courses of treatment is done from a medical and clinical point of view, and the individuals involved in that within the ministry and the health insurance division are in fact medical professionals themselves.

I think the issue of concern though that has been raised by members of families of individuals with head injuries and the association membership has been with respect to the level of expertise around these courses of treatment. It's an area we don't have a lot of experience with in Ontario. The experience in the States and the expertise there is greater.

It's a question of how we make these judgements. We have contracted now with Chedoke-McMaster, which is our centre of excellence and expertise here in Ontario, to help us with those clinical judgements, and we are taking its advice with respect to courses of treatment and out-of-country treatment plans at this point in time.

Mr Hayes: I would also like to ask that the recommendations of a US review panel, which the committee formed to provide a list of preferred American providers in the absence of adequate treatment centres in Ontario, be fast-tracked to reduce the bureaucratic delay faced by those awaiting treatment for a head injury.

Hon Ms Lankin: When we made the announcement about the changes to the out-of-country OHIP application, we made it clear that we would be establishing a list of preferred providers with respect to certain courses of treatment, and head injury is one of those.

That process has taken us longer than we initially anticipated. The panel has been doing onsite selection visits and it's in the process of compiling that information. I am hopeful we will have that in the near future. I had hoped we would have it by the end of September but it's still being worked on at this point in time. Pending completion of that, the decisions that are being made are being made on the best clinical advice we can get, and we're getting that from the head injury unit of Chedoke-McMaster. I'm quite confident at this point in time that we'll be able to

address the kinds of concerns that members of the association have been raising.

ASSISTANCE TO FARMERS

Mrs Lyn McLeod (Leader of the Opposition): My question is to the Minister of Agriculture and Food. Last August, in promising special assistance to peach farmers who had been hit by a recent hailstorm, the Premier said: "We are going to have to respond quickly to this current hail situation. We've got to make sure that help goes to those who need it."

The Minister of Agriculture has now sent a letter saying, "The government will not be introducing any additional financial assistance programs to the farmers in Niagara affected by hail."

Given the Premier's previous very clear commitment, I would ask the minister how he explains his decision to break his Premier's promise. Whom should the farmers believe, the minister or the Premier?

Hon Elmer Buchanan (Minister of Agriculture and Food): I want to clarify what I said last August and what the Premier said last August, and they are very consistent here. According to the Leader of the Opposition, the Premier said that those farmers who were in most need would receive assistance or would receive some consideration. Those are exactly the same words that I said the day before, when I visited Niagara, that there would not be across-the-board assistance for the peach farmers but we would look at addressing those needs of the farmers who were in serious financial difficulties so that they would not lose their operations because of the hailstorm.

But the Premier and I were both consistent. We did not promise across-the-board assistance to farmers who did not have crop insurance. That was very clear then, and it's still very clear, and the Premier and I have agreed on this.

1450

Mrs McLeod: Mr Minister, whatever attempt you make to explain the consistencies or inconsistencies, the fact remains you have not given these farmers any assistance at all. You have not done anything for them that you told them you would do. When the Premier met with those peach farmers, he was told about the problems with the crop insurance program in Niagara over the last few years. He was told how the coverage has declined after a number of years of crop damage. He was told that the current crop insurance program does not cover the kind of spot damage that you can get with the kind of hailstorm that Niagara experienced. The Premier admitted that it is crucial that we have an insurance plan that has the support of farmers.

Mr Minister, you have known about these same problems in crop insurance from last year's drought in Essex. You've allowed them to continue. You've cut off any hope of assistance and long-term support, and now you've cut off any hope of short-term assistance. I ask you, Mr Minister, what hope is there now for farmers who've been telling their bankers to hold off calling their loans because the Premier had promised that some form of additional funding would be coming?

Hon Mr Buchanan: Just to clarify what the Leader of the Opposition was saying, in her opening question she talked about assistance for those in greatest need, and then later on in the second question, she mentioned the Essex-Kent situation with the drought last year. There was some money set aside on an emergency basis for those farmers in greatest need, and that money is being delivered in Essex-Kent. It's not as much as people would like; it's not as much as I would like or the farmers would like, and she mentions that area. The same kind of assistance the Premier was talking about and that I've talked about will be made available for the Niagara farmers who were hurt by hail.

When she talks about crop insurance, the commission has talked to the Tender Fruit Producers' Marketing Board about what kind of improvements it would like in crop insurance. At this point in time, the tender fruit board is bringing in its own consultant so that it can decide what kind of improvements it would like in crop insurance for tender fruit. When they have their report from their consultant, then we will sit down with the commission and look at the recommendations which will come from the tender fruit board. But until the tender fruit board comes up with recommendations, we cannot make changes until it has agreed on what kind of improvements it would like.

CHILDREN'S SERVICES

Mr Cameron Jackson (Burlington South): My question is to the Minister of Community and Social Services. Minister, children's aid societies are tragically being forced to cut child welfare programs and supportive assistance to children in spite of high demands for their services at this time.

Since January of this year there have been 135.8 staff positions cut from CASs, and they have been cut despite the fact that all of their case loads have increased and all demands have been increasing. The demand has been reaching unprecedented levels. Minister, this will mean further pressures on our social assistance and pressures elsewhere.

But most important, Minister, we are talking about children not receiving care, children who are sexually abused, physically abused, are involved in substance abuse or are in families where substance abuse is a prominent feature. Minister, services that CASs provide are mandated by provincial law, by the laws that you as minister are charged with the sole responsibility of upholding in this province. Why is it that your government and your ministry's spending priorities do not reflect that these children who are at risk are a priority for your ministry and your government?

Hon Marion Boyd (Minister of Community and Social Services): I totally reject what the member suggests. In fact they are a priority. We are concerned, obviously, with the kind of slippage that there is between the resources that we are able to allocate and the needs that communities are identifying.

One of the issues for us, and one of the things we've been working very hard with our partners in the children's aid societies in doing, is looking at how we can provide

services in a more effective way. There is a wide range of different procedures that are used in children's aid societies to fulfil the same mandate. Some are much more expensive per child than others, and we are working with the Ontario Association of Children Aid Societies to try and work out funding formulae that more correctly deal with the problems as they arise. The funding formulae were never changed when the current CFSA was put in place and we are working with them to change those formulae.

In the meantime, we are working with them to ensure that mandated services are provided even though, to our regret, that is involving some lessening of the non-mandatory services that some children's aids have been creative enough to provide.

Mr Jackson: That just is not the fact of what's going on in this province. Your government said yes to the tune of \$100 million to help build redundant, non-profit day care centres in this province and yet, two days ago in estimates, you confirmed that your government has closed the door on a \$1-million deficit being faced by the Metro Children's Aid Society. It is going to be faced with cutoffs, layoffs and reductions in service to hundreds of children in this city, and in services all across this province, as a result of your offensive priorities.

Perhaps you lost your social democratic values somewhere along the road to power, but the fact of the matter is, you told members of this Legislature that to your knowledge only 56 positions had been cut in children's aid societies in this province. Yet I have a document dated September 25 from the Ontario Association of Children's Aid Societies that shows 135 positions have been cut, 100 of them in front-line services to children.

Again, I have to ask you, in spite of the fact that your staff have not given you the facts, will you please understand the magnitude of this problem? Will you please understand that the crack- and cocaine-dependent children who are being born in this province are on the increase—

The Speaker (Hon David Warner): Would the member complete his question, please?

Mr Jackson: —that you will consider their funding needs and not put them at the bottom of your priorities as you've done with your estimates—

The Speaker: Would the member please complete his question?

Mr Jackson: —and make that a priority for your government and not go out and build redundant day care centres?

The Speaker: No. The member take his seat. The question was asked a while back.

Hon Mrs Boyd: The member continued to ask question after question and to repeat the speech that he made in our estimates debate. Basically, what he is trying to convey is that we have different priorities than he does, and that's true. We see the formulation of a child care system as extraordinarily important as the front-line defence for children. It is a major preventive issue. It involves early identification of the kinds of problems he is talking about, and that is part of the balance of what we are doing.

Mr Jackson: You gave them one-half of 1%.

Hon Mrs Boyd: In terms of the difference in the numbers between what—

Mr Jackson: You are the worst offender, Treasurer.

Hon Floyd Laughren (Treasurer and Minister of Economics): Leave me out of this.

The Speaker: Order. Would the minister take her seat. The member for Burlington South posed a question. He took a great deal of time posing his question. If he would like a response, I would request that he sit and listen for a response.

Hon Mrs Boyd: Mr Speaker, you should know that this member has had this response several times over the last couple of days in the standing committee on estimates, so believe me, he doesn't want the response; he doesn't like the answer.

The answer is that we are working with our communities to try to balance interventive and preventive services.

Interjection.

The Speaker: Order. Would the member for Burlington South come to order. New question.

1500

ONTARIO TRAINING AND ADJUSTMENT BOARD

Ms Christel Haeck (St Catharines-Brock): My question is to the Minister of Skills Development. I know the member for St Catharines is interested because he has indicated that just now.

Mr Minister, you and I and a number of colleagues from Niagara were in Niagara College to hear presentations around OTAB. I know there's a lot of interest, particularly among some of my friends at Niagara College, in hearing about what has happened to the proposed local board situation, particularly the delivery system. I would like, at this point, to find out what has happened to the findings of the panels that have crossed the province. Can you tell us, myself particularly and my colleagues at Niagara, what has happened to those recommendations?

Hon Richard Allen (Minister of Skills Development): I gather this was asked on behalf of the member for St Catharines, so both of the members will at least be attentive to my answer.

A great deal of interest was generated around the province by those local board visits by the labour market partners who went around the province in teams to the various centres to discuss the question of the future of local boards for training purposes. They completed their visits at the end of May. In the middle of June they began looking at the report they would put together. Over July and August they wrote a report which has now been published and released in French and in English, in mid-September, called Community Discussions: Training and Local Boards.

Mr Chris Stockwell (Etobicoke West): Where is the legislation? You've yammered on about these boards. You should have the legislation.

Hon Mr Allen: That has been sent out to all local agencies involved in that discussion process, and people

who have not received it should write to my ministry and ask for it. We will supply them with a copy of that.

I'd also like to tell the member that in addition to that we have prepared, through the OTAB project team, a series of site visit reports which are rather more specific around the issues involved and also in proposing some alternative labour market boundaries that might be debated in local regions as alternatives to the boundaries—

The Speaker: Would the minister conclude his response, please.

Hon Mr Allen: We'll be looking on now to the implementation process that will follow immediately.

Mr Stockwell: Do you still have carbon paper in your office? You could have typed your legislation 600 copies faster.

Ms Haeck: I understand that the member for Etobicoke West, particularly with all of his yammering, would really like to know where all this is going, as would a whole lot of members within caucus and within my community. Possibly the minister could give us an idea of what the next steps are, so I can keep my community informed and involved.

Hon Mr Allen: I'll do my best as always. The next steps entail the Canada Employment and Immigration Commission—Ontario, the Canadian Labour Force Development Board, the Ontario government and the Ontario training and adjustment interim governing agency working together in order to develop a series of proposals as to how local regions might go about the implementation process.

Guidelines to that effect are being prepared at this moment. They will be sent out to each of the regions to work over to submit a proposal to us which then can be evaluated, and then we can get into the interaction with that region about the implementation process.

I would only say that this process will be speeded up the faster that we can get the interim governing agency for OTAB up and running while we wait for the final legislation and the final board.

EASTERN ONTARIO

Mr Hans Daigeler (Nepean): In view of the prolonged absence of the Minister of Industry, Trade and Technology, I will ask my question of the Treasurer. Treasurer, in 1988 the Liberal government put in place the eastern Ontario community economic development program. This \$25-million fund helped chronically depressed areas of eastern Ontario find long-term solutions to their economic problems.

Last May I wrote to the ministry asking about the future of this program and was told then that a decision was pending. Treasurer, what is happening with this decision? Are you going to extend the life of this important program or are you going to cut one of the few government initiatives that specifically supports eastern Ontario, where unemployment runs at around 10% right now?

Hon Floyd Laughren (Treasurer and Minister of Economics): I would agree with the member opposite about the importance of eastern Ontario and this government's commitment to it. I think that despite the

fact that the previous government had that program, it obviously didn't solve the long-run economic problems of eastern Ontario. I'm not blaming the former government for that. That's not on the top of my list of faults of the previous government, but it is one of them.

I do understand what the member is talking about and I will make a commitment to sit down and talk to the Minister of Industry, Trade and Technology when he returns from his very aggressive investment and trade visit across the pond.

Mr Daigeler: I'm not sure what David Agnew is going to say to this particular answer or whether he's going to give political or civil service advice to the Treasurer on this question.

Mr James J. Bradley (St Catharines): Political.

Mr Daigeler: I'm quite agreed with the member for St Catharines that it's going to be political, given his previous life.

Be that as it may, Treasurer, since you obviously do not know what is happening to that \$25-million commitment and whether it's going to be continued or not, do you at least know what your economic plan is for eastern Ontario? You have two cabinet ministers from eastern Ontario. We have seen very little from them in terms of advocacy for eastern Ontario. What is your strategy for the economic renewal of eastern Ontario, Treasurer, or do you have any?

Hon Mr Laughren: I wish that the member opposite would stop dragging into political debate impartial civil servants in the province of Ontario. This province has a long history of being very well served by a very professional and objective civil service and I can assure you that nothing has changed because the secretary of cabinet has been appointed. That really is a red herring.

Whenever the member opposite gets on his feet to ask a legitimate question, he clutters up the legitimate question with a silly preamble and very often by the time that we on this side get to answer the serious part of the question, the Speaker is telling us to sit down because we've run out of time.

POLICE SERVICES

Mr Robert W. Runciman (Leeds-Grenville): I have a question for the Solicitor General and it relates to some information that was just brought to my attention. Hopefully, the Solicitor General can allay some concerns among the policing community and perhaps the whole municipality of Metropolitan Toronto in respect to the veracity of these rumours that are now circulating among the policing community.

We've been advised that all OPP senior staff as of today have had their vacations cancelled, that the meeting planned for this evening with the Ontario Provincial Police Association has been put on hold and that there are plans under way that if a decision is not taken in favour of the governing party, if you will, this next weekend, the government is prepared to lock out Metropolitan Toronto police officers and replace them with officers from the OPP and the RCMP.

I think it's appropriate that the minister comment on this today. We could be placing the public of Metro Toronto in danger. These individuals do not know the streets of this community and they have a secondary communication system. I'm asking the minister to respond to this today.

Hon Allan Pilkey (Solicitor General): The information, by way of the question that has been asked, is not correct.

VISITOR

The Speaker (Hon David Warner): I would invite all members to welcome to our chamber this afternoon a former member of the House, Mavis Wilson, who was the member for Dufferin-Peel. Welcome.

1510

VERN HARALD CINIS

Mr John Sola (Mississauga East): Mr Speaker, since the House is not sitting tomorrow and tomorrow happens to be the last day of a valued member of the security service of this House, I would just like to ask all members here to give a rousing ovation to Mr Vern Harald Cinis. He came here from Latvia in 1955, came to the Queen's Park detachment in 1976 and has been a valued servant ever since.

The Speaker (Hon David Warner): Indeed Mr Cinis has served this assembly with distinction for some 16 years and he will be missed both by his colleagues and by members and the staff who serve the assembly.

Mr Cameron Jackson (Burlington South): On a point of order, Mr Speaker: Pursuant to standing order 33(a), I wish to advise you of my dissatisfaction with the response from the Minister of Community and Social Services and would like to serve notice through the Chair.

The Speaker: If the member will submit the necessary document to the table.

Mr Robert W. Runciman (Leeds-Grenville): On a point of order, Mr Speaker: Also pursuant to standing order 33(a), I wish to advise you of my dissatisfaction with the response of the Solicitor General to my question on policing in Metro Toronto.

The Speaker: Again, I trust the experienced member will file the necessary document at the table.

MOTIONS

Hon David S. Cooke (Government House Leader): Mr Speaker, I have a substantive motion that's been discussed with the opposition House leaders and I'd like unanimous consent to move it.

The Speaker (Hon David Warner): Do we have unanimous consent? Agreed.

APPOINTMENT OF PROVINCIAL AUDITOR

Hon David S. Cooke (Government House Leader): I move that an humble address be presented to the Lieutenant Governor in Council as follows:

"To the Lieutenant Governor in Council:

"We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly of the province of Ontario, now assembled, request the appointment of Erik Peters as auditor for the province of Ontario, as provided in section 3 of the Audit Act, RSO 1990, to hold office under the terms and conditions of the said act,

"And that the address be engrossed and presented to the Honourable the Lieutenant Governor in Council by the Speaker."

The Speaker (Hon David Warner): Is it the pleasure of the House that the motion carry? Carried.

For the benefit of members, I would first of all invite members to welcome to our chamber this afternoon, and seated in the Speaker's gallery, our newest officer of the assembly, now the auditor, Mr Peters, and he's joined by his wife. Welcome.

I might also share with members that Mr Erik Peters has been selected by the standing committee on public accounts for the position of Provincial Auditor. This is the first time that the standing committee has conducted interviews for this position.

Mr Peters has worked with the internal audit branch of the CBC since 1983. He also has experience working with the Auditor General's office and was assistant auditor general of Canada in 1980. In 1981, he joined Alcan Aluminum, where he was functionally responsible for EDP and audit in Alcan's European operation.

Mr Peters will bring a wide variety of expertise to the office of the Provincial Auditor and all of us look forward to working with him. Welcome, Mr Peters, to our assembly.

PETITIONS

LANDFILL

Mr Joseph Cordiano (Lawrence): "Whereas the Interim Waste Authority has released a list of 57 potential sites in the greater Toronto area as possible candidates for landfill;

"Whereas the decision to prohibit the regions of the greater Toronto area from searching for landfill sites beyond their boundaries is contrary to the Environmental Assessment Act, section 5(3);

"Whereas a willing host community such as Kirkland Lake will not be allowed a proper hearing to consider the Adams mine site as a possible solution to the greater Toronto area garbage issue,

"We, the undersigned, petition the Legislature of Ontario as follows:

"That the Legislature of Ontario remove sites W4B and W4C from any further consideration as a candidate site for waste disposal in the greater Toronto area;

"That the Legislature of Ontario repeal Bill 143 in its entirety and allow a more democratic process for the consideration of future disposal options for greater Toronto area waste, particularly the consideration of sites beyond the boundaries of the greater Toronto area where a willing host community exists who is interested in developing new disposal systems for greater Toronto area waste."

This petition is signed by some 2,000 people, and I present this henceforth.

Mr David Tilson (Dufferin-Peel): I'd like to present a petition to this House on behalf of a number of residents of my riding of Dufferin-Peel, and specifically the town of Caledon. This is addressed to the Legislative Assembly of Ontario:

"Whereas the Interim Waste Authority has released a list of 21 proposed sites in the region of Peel as possible candidates for landfill, 15 of which are located in the town of Caledon;

"Whereas the decision to prohibit the regions of the greater Toronto area from searching for landfill sites beyond their boundaries is contrary to the intent of the Environmental Assessment Act, subsection 5(3);

"Whereas the government has promised each person in Ontario the right to a full environmental assessment, including the right to a review of all options as it pertains to waste disposal in Ontario,

"We, the undersigned, protest and petition the Legislature of Ontario as follows:

"That the Legislature of Ontario repeal Bill 143 in its entirety and allow a more democratic process for the consideration of future options for the disposal of greater Toronto area waste, particularly the consideration of disposal sites beyond the boundaries of the greater Toronto area where a willing host community exists who is interested in developing new disposal systems for greater Toronto area waste."

I have affixed my signature to this petition.

RETAIL STORE HOURS

Mr Larry O'Connor (Durham-York): I have got a petition here signed by 87 constituents of mine. A majority of them are from the town of Uxbridge.

"I, the undersigned, hereby register my opposition to wide-open Sunday business. I believe in the need for keeping Sunday as a holiday for family time, quality time and religious freedom. The elimination of such a day would be detrimental to the fabric of society in Ontario and cause increased hardship among retailers, retail employees and their families.

"The proposed amendment to the Retail Business Holidays Act of Bill 38, dated June 3, 1992, to delete all Sundays except for Easter (51 a year) from the definition of 'legal holiday' and reclassify them as working days should be defeated."

It gives me pleasure to sign this today while I have here the mayor of Uxbridge, Mayor O'Connor, and the mayor of Whitchurch-Stouffville, Mayor Sainsbury.

LANDFILL

Mr Steven Offer (Mississauga North): I have a petition to the Legislature of Ontario.

"Whereas the Interim Waste Authority has released a list of 57 potential sites in the greater Toronto area as possible candidates for landfill;

"Whereas the decision to prohibit the regions of the greater Toronto area from searching for landfill sites beyond their boundaries is contrary to the intent of the Environmental Assessment Act, subsection 5(3);

"Whereas a willing host community, such as Kirkland Lake, will not be allowed a proper hearing to consider the Adams mine site as a possible solution to the greater Toronto area garbage issue,

"We, the undersigned, petition the Legislature of Ontario as follows:

"That the Legislature of Ontario remove site W4B and W4C from any further consideration as a candidate site for waste disposal in the greater Toronto area;

"That the Legislature of Ontario repeal Bill 143 in its entirety and allow a more democratic process for the consideration of future disposal options for greater Toronto area waste, particularly the consideration of sites beyond the boundaries of the greater Toronto area where a willing host community exists who is interested in developing new disposal systems for greater Toronto area waste."

That petition has been signed by approximately 2,000 individuals, and I affix my signature there, too.

MUNICIPAL BOUNDARIES

Mrs Irene Mathyssen (Middlesex): I have a petition signed by 54 residents of Middlesex county who petition the Legislature of Ontario to set aside the arbitrator's report as it pertains to the greater London area because it does not reflect the expressed wishes of the majority who participated in arbitration hearings, it has awarded too extensive an annexation to the city of London, and it will jeopardize the viability and the vitality of the county of Middlesex. I have signed my name to this petition.

PROPOSED HIGHWAY

Mrs Lyn McLeod (Leader of the Opposition): On a slightly different subject, I would like to present a petition to the Legislature signed by concerned residents who live in the Red Rock area. The four-laning project of Highway 11/17 could go through their neighbourhood, or the project could take an alternate, northern route. The petition reads:

"We whose signatures appear below believe that the north alternative, having the four lanes bypass our neighbourhood, is the only viable alternative, and ask that you interact on our behalf in this matter."

I have affixed my signature to the petition.

1520

PENSION FUNDS

Mr David Tilson (Dufferin-Peel): I have a petition addressed to the Legislative Assembly of Ontario and it's signed by members from my riding in Dufferin-Peel, specifically the towns of Orangeville and Bolton.

"Whereas we, the undersigned members of the Ontario municipal employees retirement system, do not want our pension funds invested in the Ontario investment fund; and

"Whereas we cannot jeopardize our retirement income by allowing the government to decide where our hard-earned capital should be invested; and

"Whereas it is very tempting to dip into our piggy bank without using the democratic process; and

"Whereas this is not how you protect the welfare of the worker;

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to listen to our concerns, and hands off our petition funds."

I have affixed my signature to this petition.

RETAIL STORE HOURS

Mr Gary Wilson (Kingston and The Islands): I have a petition to the members of provincial Parliament that regards the amendment of the Retail Business Holidays Act:

"I, the undersigned, hereby register my opposition in the strongest of terms to Bill 38, which will eliminate Sunday from the definition of 'legal holiday' in the Retail Business Holidays Act.

"I believe in the need of keeping Sunday as a holiday for family time, quality of life and religious freedom. The elimination of such a day will be detrimental to the fabric of society in Ontario and cause increased hardship on many families.

"The amendment included in Bill 38, dated June 3, 1992, to delete 'all Sundays except Easter (51 per year) from the definition of 'legal holiday' and reclassify them as working days should be defeated."

There are about 130 signatures on these petitions, and I affix my name to it.

LANDFILL

Mr Charles Beer (York North): I have a petition to the Legislative Assembly which reads as follows:

"Whereas the official plan of the township of King states that the township of King has traditionally been a rural municipality within the region of York and that the township possesses a significant amount of land which has historically been and remains devoted primarily to agriculture; and

"Whereas this document also states that agriculture is an important land-based activity within the township;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We oppose the provincial government's proposal to take prime agricultural land in King township and turn it into Metro and York region's megadump."

This petition is signed by some 4,000 persons. I have affixed my signature thereto and note the presence in the House of the mayor of King township who is also here in support of this petition.

Mr David Tilson (Dufferin-Peel): I have a petition that was just presented to me by a member from my riding of Dufferin-Peel who is opposed to the 15 dump sites in the town of Caledon. This petition consists of 206 signatures. It's addressed to the Legislative Assembly of Ontario:

"Whereas the Interim Waste Authority has released a list of 21 proposed sites in the region of Peel as possible candidates for landfill, 15 of which of are located in the town of Caledon;

"Whereas the decision to prohibit the regions of the greater Toronto area from searching for landfill sites beyond their boundaries is contrary to the intent of the Environmental Assessment Act, subsection 5(3); and

"Whereas the government has promised each person in Ontario the right to a full environmental assessment, including the right to review of all options as it pertains to waste disposal in Ontario;

"We, the undersigned, protest and petition the Legislature of Ontario as follows:

"That the Legislature of Ontario repeal Bill 143 in its entirety and allow a more democratic process for the consideration of future options for the disposal of greater Toronto area waste, particularly the consideration of disposal sites beyond the boundaries of the greater Toronto area where a willing host community exists who is interested in developing new disposal systems for greater Toronto area waste."

I have affixed my signature to this petition as well.

Mr Steven W. Mahoney (Mississauga West): I have a petition as well, addressed at the top, it says, "Say no to a dump in York region."

"To the Interim Waste Authority, York region has been selected for 19 potential dump sites by your committee. Minister of the Environment Ruth Grier has stated that garbage will not be transported to other municipalities, yet we are being asked to possibly accept Metro Toronto's trash in York region. We find this unacceptable and are hereby registering our objections."

I'm pleased to affix my signature to this petition.

MUNICIPAL BOUNDARIES

Mr Ron Eddy (Brant-Haldimand): I have a petition to the Legislature of Ontario:

"That the Legislature of Ontario reject the arbitrator's report for the greater London area in its entirety, condemn the arbitration process to resolve municipal boundary issues as being patently an undemocratic process and reject the recommendation of a massive annexation of land by the city of London."

I affix my signature.

LANDFILL

Mr Gregory S. Sorbara (York Centre): Later today we're going to be debating an opposition resolution. I have a number of petitions, signed by literally hundreds—and I should say, perhaps over 2,000 people. I will read the first one. It reads as follows:

"To the Legislature of Ontario:

"Whereas the Interim Waste Authority has released a list of 57 potential sites in the greater Toronto area as possible candidate sites for landfill;

"Whereas the decision to prohibit the regions of the greater Toronto area from searching for landfill sites beyond their boundaries is contrary to the Environmental Assessment Act, subsection 5(3)"—and that certainly is true.

"Whereas a willing host community such as Kirkland Lake will not be allowed a proper hearing to consider the Adams mine site as a possible solution to the greater Toronto area garbage issue"—that also is true.

"We, the undersigned, petition the Legislature of Ontario as follows:

"That the Legislature of Ontario remove sites W4B and W4C from any further consideration as a candidate site for waste disposal in the greater Toronto area; and

"That the Legislature of Ontario repeal Bill 143"—what a good idea—"in its entirety and allow a more democratic process for the consideration of future disposal options for greater Toronto area waste, particularly the consideration of sites beyond the boundaries of the greater Toronto area where a willing host community exists who is interested in developing new waste disposal systems for greater Toronto area waste."

I'm going to affix my signature to this and include with it the petitions of several hundred more residents of the areas of Vaughan, King, Markham, Aurora, Newmarket and other areas in the greater Toronto area.

Mr Larry O'Connor (Durham-York): I have a petition here:

"Whereas the town of Whitchurch-Stouffville has traditionally been a mixture of agriculture and residential land, both areas would be drastically affected by a megadump;

"Whereas the Interim Waste Authority has identified sites in the town that would consume large tracts of class 1 and 2 farm land, the areas identified by the Interim Waste Authority would severely disrupt the vibrant agricultural communities. The farm families in those areas have continued to invest large sums of money in their farms. These communities would be destroyed by the Interim Waste Authority putting in a megadump;

"Whereas the people of Whitchurch-Stouffville depend on groundwater for their drinking water and a dump would threaten their supply of clean water;

"Whereas the effects of a megadump would destroy the local economies of the communities;

"Therefore we, the undersigned, petition the Legislative Assembly as follows:

"We oppose the Interim Waste Authority taking prime farm land into the heart of town and turning it into Metro and York's megadump;

"We further petition the Legislative Assembly to renew efforts to seek and entertain alternatives to landfill; to implement aggressive reduction, reuse and recycling programs."

This petition is quite similar to the ones I have presented from East Gwillimbury and Georgina and I affix my name.

Mr Charles Beer (York North): I've a petition to the Legislative Assembly of the province of Ontario:

"Whereas the Minister of the Environment for the province of Ontario has shown a marked disregard for the existing ecological, agricultural, tourist, business and residential environments in the region of York; and

"Whereas the Minister of the Environment for the province of Ontario has abandoned her own directives concerning local municipalities accommodating their own waste; and

"Whereas the Minister of the Environment for the province of Ontario has neglected to investigate alternative methods for waste disposal;

"We, the undersigned, petition the Legislative Assembly of the province of Ontario as follows:

"We oppose any further designation of waste disposal sites meant to accommodate waste produced outside the borders of York region;

"We oppose any move to create a megadump in York region;

"We encourage, in the strongest means possible, that the province pursue the development of new technologies for waste disposal and that new guidelines on packaging of products be developed which will reduce waste."

That is signed by several hundred residents and I have affixed my signature thereto.

NOTICES OF DISSATISFACTION

The Deputy Speaker (Mr Gilles E. Morin): Pursuant to standing order 33(a), the member for Burlington South has given notice of his dissatisfaction with the answer to his question given by the Minister of Community and Social Services concerning children's aid societies. This matter will be debated today at 6 pm.

Pursuant to standing order 33(a), the member for Leeds-Grenville has given notice of his dissatisfaction with the answer to his question given by the Solicitor General concerning policing in Metropolitan Toronto. This matter will be debated at 6 pm.

1530

OPPOSITION DAY

LANDFILL

Mrs McLeod moved opposition day motion number 1:

Whereas the New Democratic Party government has initiated a landfill site selection process for the greater Toronto area through its Interim Waste Authority, and

Whereas many citizens of the regions of Peel, Durham and York do not have confidence in the integrity of the Interim Waste Authority and are appalled at the inconsistencies involved in the process, and

Whereas this government made a promise to the people of this province that they "would get tough on protecting irreplaceable farm land," and

Whereas this government made a promise to the people of this province that any new landfill sites would be "subject to the fullest kind of environmental assessment," and

Whereas 76 landfill sites are expected to close within the next 12 months across the province, and

Whereas the New Democratic Party government is not meeting its promises for waste reduction,

Therefore, the government should table a rational and effective plan complete with regulations, a timetable and clearly set out schedule, which will provide immediate and measurable progress for waste reduction in Ontario.

The Deputy Speaker (Mr Gilles E. Morin): Would you like me to repeat the motion? Dispense? You have the floor.

Mrs Lyn McLeod (Leader of the Opposition): I rise to speak to the motion. I'm very much aware of the fact that there are many visitors present in the Legislature

today who have come particularly to hear this debate and who are particularly concerned about the Minister of the Environment's mishandling of this issue of waste disposal and who are very directly affected by the matter.

I spent a good part of my summer travelling through Durham, Peel and York regions, the regions which are the most immediate targets of the Environment minister's garbage attacks. I visited many of the 57 sites that the minister's Interim Waste Authority has identified as potential areas for dumping garbage. I saw the farms that are supposed to be non-productive because the ministry has decided that they're in something called an "urban shadow," but they certainly looked like productive farms to me.

I'd like to take a moment to read just two of the responses of the many concerned citizens who have written to us, citizens of Tottenham, Ontario, who say: "This is good farm land. These farms produce quality products, and the people who own them are making a living. We should do all we can to keep these farms."

From residents of Caledon East: "We have a 200-acre, 145-year-old, seventh-generation dairy and cash crop farm, a farm house, a retirement home for ourselves, and two houses for a son and a son-in-law who work part-time on the farm."

I saw the farms that are supposed to be non-productive. I saw the farms, and I understood the scorn and the frustration of the farm families who told me that the Interim Waste Authority took aerial photographs of their farms in wintertime before deciding that nothing was growing there. I met families who had put their life savings and their dreams into building their new homes, only to find that they were now next-door neighbours to potential dump sites. I had no explanation to those who said that their land had already been rejected as unacceptable, for environmental reasons, as a dump site, so why were they being studied again?

Again, I'll read into the record just one of the concerns that has been expressed to us, in this case from a Mr Keast. "Previous drillings and soil samples have indicated that the soil here is highly permeable and that rock is too close to the surface." Incidentally, the area presently is used for agriculture.

All of these people hoped there would at least by now be a short list of the sites so they could begin to focus their attention on the sites that the minister was seriously considering for dumping garbage, but now their lives are on hold again as they wait for that short list to come out.

I have never seen a group of citizens who have rallied so strongly behind one another to challenge the sheer craziness of what this government is doing. At least the minister is no longer perpetuating the charade that the Interim Waste Authority is somehow at arm's length from her own ministerial responsibilities. It was hardly a credible claim, as three assistant deputy ministers sit on the IWA board.

There is no question that the minister is responsible for this mess. It is completely unacceptable that she has stopped the process that each region was pursuing to make its own plans for sound waste management. It is unacceptable that York region has been arbitrarily delegated as the

recipient of Metro Toronto's waste. It is completely unacceptable that the minister has refused to allow all alternatives to be considered within a full environmental assessment. It is unacceptable that the minister has given herself unilateral powers to expand existing sites with no environmental assessment. It is unacceptable that this government is in full retreat from its commitment to protect the productive farm land of this province.

The frustrations and the anger of the people of Durham, York and Peel are being experienced by others right across the province. We are facing a crisis that has been created by mismanagement, a crisis that has been created by a minister who has backed herself into an ideological corner she just can't get out of.

We would urge this minister, through this motion today, to go back to the drawing board, to set aside her biases, to develop an effective plan to deal with the issues of waste management in this province.

The Deputy Speaker: Are there any other members who wish to participate in this debate?

Hon Ruth A. Grier (Minister of the Environment): I'm delighted to have an opportunity to participate in this debate and to have an opportunity to discuss the waste management policies of our government and the very real progress we have made towards implementation of our waste reduction action plan.

As I'm sure the Leader of the Opposition and others will suspect, I disagree profoundly with the "whereases" that preface the member's motion. But let me say that I certainly understand the frustration and the anger and the pain of many people, many of whom are here today and some I was talking with earlier today, about the fact that the search for a landfill site within the greater Toronto area is directly affecting them and their community.

When the Leader of the Opposition speaks about her tour of landfill sites this summer and the people with whom she met, I hope she will recall that the summer of 1990 was also a summer of protest. Many people toured landfill sites and potential landfill sites all across this province then and met with countless demonstrations, protesters and groups that were saying, "We do not want the garbage of the greater Toronto area in our community."

Whether it was Plympton, whether it was Halton, whether it was Marmora or whether it was northern Ontario, that was happening. The very clear message that was given was that communities are responsible for looking after the waste that is generated, and solutions to this crisis—which even then was a crisis and had been a crisis for seven or eight years—have got to be found.

When the Leader of the Opposition says that I have backed myself into an ideological corner, let me disagree with her most profoundly, because what I and my government have done is to set out very clearly, step by step, a process for resolving this crisis. In talking about that, I want to focus on the substantive part of the member's resolution that says, "The government should table a rationale, an effective plan complete with regulations, a timetable and...schedule, which will provide immediate and measurable progress for waste reduction in Ontario."

That is precisely what this government is doing, and that is precisely the kind of plan that is showing real and measurable progress towards waste reduction and that is the fundamental way to deal with our waste management issues.

We are a consumer society, not a conserver society. Until we begin to realize that, until we begin to make some of the shifts in behaviour, in markets and in the economy that are required to do that, we won't be able to resolve the problem.

1540

The resolution before us today calls for us to do things that, let me remind you, had not even been initiated in the five years preceding October 1990. What I found when I became minister was a target—25% diversion of waste from landfill by the end of 1992 and 50% by the year 2000—but no legislation, no regulations and no plans or policies to reach that target. So when the resolution before us today calls for those plans and calls for those solutions, let me tell the House what has been achieved.

In February 1991, I announced our comprehensive waste reduction action plan and laid down the principles it would follow. The very first thing we did was create a waste reduction office within the Ministry of the Environment and give it the resources, the funding and the personnel to enable it to begin to set forward fair and rational plans and projects for waste reduction.

We said the basis of that plan had to be introducing effective laws that make waste reduction a higher priority than waste disposal. That was what I said in February 1991. In 1992, we passed legislation to do just that. We passed the Waste Management Act of 1992, and I very much regret that the members opposite didn't vote for it. They didn't vote for it because they didn't like some elements of it, but they didn't make any effort to deal with the element in that legislation that gives us the powers to pass the kinds of regulations which the member is calling for in her resolution today.

As a result of the passage of that legislation, we have issued a series of initiative papers that will be the forerunners of the regulations she is calling for. Initiatives Paper No 1, in which the regulations are very soon to be promulgated—we hope to have them phased in before the end of this year, and let me tell the House what they include.

They include mandatory recycling in municipalities in Ontario. They include mandatory recycling in the workplace, community leaf and yard composting programs, waste reduction plans in the workplace, packaging reduction plans; all the kinds of regulations that have to be in place to create the foundation for serious waste reduction. Those regulations will be law before the winter of 1993.

We have also made significant progress on streamlining the environmental approvals process. We've seen demonstrations of what that can do: for example, the partnership I announced last month with the Canadian Petroleum Products Institute, where recycling of oil can now occur easily, simply and quickly. The result is that that oil no longer has to go to disposal.

The second element of our waste reduction action plan, which I announced in February 1991, is that we would

work in partnership with business, environment groups and institutions to reduce waste and to use and make products containing recycled materials. The partnership with the CPPI that I just mentioned is a very good example of that. The consultations that have been ongoing have been participated in by industries, trade associations, environmental groups and municipalities.

The third tool I enunciated in our waste reduction action plan ensures that municipalities have the tools they need to plan and make waste reduction work. The reform of the waste management master planning process, the reform of the power structure for waste reduction and waste management, is very much part of that.

It's easy for the Leader of the Opposition to say: "Bring in regulations. Bring in schedules." She would be the first to say: "Where's your legislation? Where's your consultation?" Her resolution says: "Bring in those regulations. Where are they?" Step by step, our waste reduction action plan is leading towards very significant progress on the reduction of waste and meeting, if not exceeding, the targets that were set by the previous government.

This summer I also had the opportunity to visit very many communities, many with waste disposal problems, different in degree from those in the greater Toronto area but just as serious for those communities. This is not a problem that is unique to the greater Toronto area. What is unique about the problem here is of course the volume of waste that is generated given the size of the population, and the long history of failure in efforts to find a solution. I know some of my colleagues later on today will speak to that most eloquently.

The fourth element in the waste reduction plan I announced was that we would make waste reduction plans financially healthy. Not easy in tough times but I think significant is the contribution towards that goal that has been made by our government even in these tough times: \$55.3 million to fund municipal 3Rs programs; \$16.2 million to assist businesses in developing new technologies for diverting waste and creating new uses for these materials. The effect of that kind of investment is not merely to reduce waste, which is, of course, its primary objective, but it contributes to the growth in our economy.

I spoke earlier today to the Canadian Environment Industry Association, a burgeoning growth sector in our economy with 14% growth predicted over the next five years. Why? Because there is a government that is beginning to put in place not only the support systems but the policies that will contribute to industries finding innovative ways to deal with our waste.

The opposition to my policies is fond of saying, "Where are your new ideas?" Our new ideas are out there in the businesses, large and small, that are taking advantage of the opportunities created to create new products, to develop new and more cost-effective ways of doing things, to develop new technology and to market those technologies, not just in North America but around the world.

The fifth element of our plan was that we would give people the information they need to act on waste reduction. We've done that with both educational programs and the funding of educational programs, with the promotion

of awards for businesses among their peers, so that we can spread the good word about the success stories, about the promotion of Waste Reduction Week, Zero Garbage Day and the events that are sponsored by the Recycling Council of Ontario.

I think the members opposite underestimate the degree of support that ordinary people all around this province have for the policies I'm enunciating today. Of course people in a community that is a likely candidate for a landfill site don't recognize the progress that is being made in other places, because their focus is, of course, on what it's going to mean to them. These are not easy decisions to make, but if we are to have a healthy economy and if we are to have a healthy environment, they are certainly decisions that have to be taken and have to be taken in as fair and open a way as possible. Involving people in the process is painful. People who've spent a lot of their volunteer time and have a lot of worries about what has been happening in their communities know how much time it takes.

The ways of the past are not the ways to resolve these problems, the ways of the past when decisions were made behind closed doors, when people found that instead of being a candidate site for a landfill, with an opportunity to contest the criteria, to participate in the decision, to have their say—now, when we're a long way from the final decisions—if they had woken up one day to find that, lo and behold, their community had been selected, suddenly, out of the blue, and also a candidate for an exemption from the Environmental Assessment Act, I can assure you, Mr Speaker, we would be seeing the same degree of protest that we saw in the summer of 1990, when people said very clearly that was not the way they wanted things to happen.

Many people have said that all of our waste reduction efforts aren't working, that there aren't markets, that it isn't having an effect. I was very pleased to announce last week that our target of 25% was well within our grasp. In fact, we had already reached 21%. Let me give the House some specific figures so that people understand the magnitude of what has been achieved over the last two years.

The blue box, cornerstone of the recycling program, introduced by the members opposite, built upon, strengthened and extended by our policies: three million Ontario households help divert 400,000 tonnes of resources every year from landfill sites, up from 1 million households at the end of 1988. There is a market for 95% of those materials.

1550

More than half of Ontario's newsprint is being recovered from the waste stream. Our current recovery rate for old corrugated cardboard is 40%; for container glass, 33%; for PET plastic, 52%; and 20% of our gypsum is recovered, 52% of our wood waste.

People who didn't know what composting was are now composting, and many people who've been composting for generations are composting even more. Nearly one million Ontario homes have backyard composters and many communities are looking at collective systems, wet-dry separation, many experiments that our ministry is funding that will help take us towards that 50% reduction and, at the same time, remove from landfill the kind of

organic material that has created so many problems with the obsolete and ill-constructed landfills of the past.

And it's not just home owners. Seven out of 10 Ontario companies have office waste reduction programs. Very few had them in 1990. Hospitals, government buildings and more than 3,000 schools and hundreds of industries are doing their part to reduce waste.

The 21% per capita reduction that we have achieved is the result of many success stories. A company in Scarborough has developed a rubber collar for holes in catchbasins, helped with funding from my ministry, helped by a policy that says we won't allow the incineration of tires. We'll find a way of reusing those resources and putting them back into the market.

Ortech International and the Greater Toronto Home Builders' Association, supported by ministry, has launched a build green program. Bluewater Recycling near Grand Bend is one of Canada's leading examples of success with small-town recycling.

In Ottawa last week I visited a group of charities that have come together to recycle textiles and clothes picked up in the blue box: something unheard of a couple of years ago and something that has the potential not only to provide good used clothing to the Third World or to thrift stores but also a potential of taking vast amounts that are currently going to landfill. Companies like Bell Canada have instituted zero waste and reduced its waste by 97%.

The motion before us today calls for a waste reduction action plan. I contend that we have in this province for the first time a waste reduction action plan, an action plan that is fair, an action plan that includes participation by businesses, industries, institutions, municipalities and, most important, a waste reduction action plan that is working.

Even with that, we are not relieved of the obligation of finding disposal sites. But what is so critically important to all of the people here today and all of the people not here today is that they can be assured that the way in which those sites are found is open, is fair and is the best for the environment. That is my commitment and that's the commitment that I'm proud to fulfil.

Mr Michael D. Harris (Nipissing): I am pleased to have the opportunity to comment today on the opposition day motion and I congratulate the Liberal Party for bringing the motion forward and providing this forum an opportunity for us to express some viewpoints. I would like to also say that I agree with all the preambles and "whereases" in the motion.

However, the "therefore," the request of the Liberal Party to the government as a solution to the whereases, for the life of me I'm not sure is even in order, because it has nothing to do with the significant concerns that we have with the Minister of the Environment, with the NDP government and the way that you are proceeding with these landfill sites.

The minister, quite frankly, has spent some considerable time talking about how the New Democratic government is meeting its promises for waste reduction. Let me say unequivocally, because the minister said, "The members opposite don't agree with us," about 10 times, "The members opposite don't like this," and quite frankly I want

to make it clear on behalf of my party and my caucus, we do agree with the minister on the 3Rs. We think the New Democratic Party government is doing a good job in the reducing, reusing and recycling areas.

We had a hiatus there after the blue boxes were introduced by the Progressive Conservative government where not much happened, but I do congratulate the minister and the government on their commitment to reducing the amount of garbage necessary to ultimately deal with.

The final part of the resolution says, "Therefore, the government should table a rationale...." The government has tabled a rationale, as the minister has pointed out, in February, I believe, of 1991. They announced an effective plan. I thought it was an effective plan. I think it's a good plan. I think it's being followed. I might add that your disastrous economic policies contributed to the recession and are also responsible for an amount of reduction, of garbage not going into the waste stream. I'm not too supportive in that area, as the minister knows, but, complete with regulations, I'm supportive of the route the government is taking in that.

"A timetable, a clearly set out schedule": We're comfortable with that. We think the government is moving expeditiously in that area, which will provide immediate and measurable progress—we're comfortable with that—for waste reduction in Ontario. So the motion asks the government to do something that I think the government, as the minister has spent a considerable amount of time pointing out, is doing quite well.

But the "whereases" are what I agree with. "Whereas the New Democratic Party government has initiated a landfill site selection process for the GTA through its Interim Waste Authority." We know they did that.

"Whereas many of the citizens of the regions of Peel, Durham and York," including many citizens of this province of Ontario, by the way, "do not have confidence in the integrity of the Interim Waste Authority and are appalled at the inconsistencies involved in the process." We agree with that and we're going to support that. That is a significant problem.

"Whereas the government made a promise to the people of this province that they 'would get tough on protecting irreplaceable farm land.'" That was a quote. This doesn't demonstrate toughness on irreplaceable farm land, and we're appalled at that.

"Whereas this government made a promise to the people of this province that any new landfill sites would be 'subject to the fullest kind of environmental assessment.'" These sites are not subject to the fullest kind of environmental assessment, and we are appalled at that.

So were I to have presented all these whereases and correctly, as the Liberals have done, identified the problems, I would therefore have suggested solutions to those problems, not a solution that is already being addressed with the 3Rs. The immediate issue is not the reduction of garbage. That is being addressed. The issue is the establishment of long-term landfill sites or alternative facilities to deal with the residual waste stream, that part of the waste stream that remains after the 3Rs.

So I want the minister to be clear, because she made several references to the opposition that we "don't agree with." I and my party, my caucus, do agree with the reduction program. We are supportive and we will continue to be supportive in that area.

But we do not agree with your process for the establishment of long-term landfill sites. Were I presenting this motion, I would have said at the end of the motion:

"That, therefore, this government:

"(1) Immediately repeal Bill 143;

"(2) Implement a more democratic process to explore all alternatives for the GTA garbage;

"(3) Commit to full, not partial, environmental assessments of potential landfill sites."

Since this is a Liberal Party motion and since I don't have the authority, without the consent of the Liberal Party, to propose that amendment, I would now ask the Liberals for their consent to move the following amendments:

"(1) Repeal Bill 143 immediately;

"(2) Implement a more democratic process to explore all alternatives for the GTA garbage;

"(3) Commit to full, not partial, environmental assessments of potential landfill sites."

I would ask for the consent of the Liberal Party and the Liberal opposition to be able to move that their motion be amended by striking out everything following "therefore" and adding those three steps that I have added. If the Liberal Party would agree with that, then I would like to proceed on that basis. Are we agreed?

1600

Mr Carman McClelland (Brampton North): We would agree to the adding of the suggestion. Our leader would be delighted.

The Deputy Speaker: That's very unusual. The motion has been introduced, and this is what you have to debate.

Mr Harris: I have the consent of the Liberal Party to amend its motion. Is that enough for the Chair?

The Deputy Speaker: It's very unusual to amend it, as I just said, but if there is unanimous consent, of course you can do anything. Is there unanimous consent?

Hon David S. Cooke (Government House Leader): Mr Speaker, we don't support the motion that's before us and we certainly wouldn't support any amendments that make it even worse.

The Deputy Speaker: There is no unanimous consent; therefore, we will continue the debate as we started.

Mr Harris: Thank you very much, Mr Speaker. Let it be shown on the record that I support the 3R initiatives. I support that the government has an effective 3R plan. We will support the resolution, although it's meaningless, because it's asking the government to do something that it's already doing very well. We'll vote for that in our vote: Carry on with what it is the resolution asks you to do.

However, let me clearly get on the record what you are not doing and what we object to. You did not live up to your commitment that any new landfill sites would be subject to the fullest kind of environmental assessment. You

will not consider all the alternatives. You will not allow to be considered alternatives that may be vastly superior for the environment to those which you have ordered to take place through your Interim Waste Authority.

You will not even permit Kirkland Lake to consider (a) proceeding with an environmental assessment and (b) then to be considered. Does that make more sense? Is an abandoned mine site more environmentally acceptable than prime farm land in the regions you have picked? You won't even allow that to be considered. We object to that, and I want that clearly on the record.

Were I producing a motion, I would be calling on the government to live up to its promises and live up to its commitments to consider all alternatives, including the Kirkland Lake option, including any other option that may be inside or outside the GTA, including any other option of technology that may come along in the future.

To have passed Bill 143 and put the blinkers on and turned a blind eye to any future technologies is absolutely ludicrous. To suggest that if the most environmentally sensitive and correct site is a half a mile outside the GTA and in the GTA all the sites are half as good but you can't go that half a mile is ludicrous for the sake of sound landfilling, for the sake of sound disposal, for the sake of the environment. We object very strongly to that. I wish this resolution had called upon the government and insisted that it have to live up to those commitments and do that.

We've seen this government, this party that ran around this province. I remember in the 1990 campaign, because I travelled this province as well on behalf of my party, I can recall going to Durham and York regions. Along the way they said: "Will you promise, as Bob Rae promised, no dump here? Bob Rae promised, Mr Harris, never a dump here. Will you make that promise?" I said: "No, I can't lie to you. I will commit that there will be a full environmental assessment, that all alternatives must be considered." But, you see, the people believed Mr Rae, who said, "No dump here."

Now I am asking you to live up to my commitment, which wasn't good enough. It wasn't good enough in Durham in the campaign, it wasn't good enough in York, it wasn't good enough in Caledon; because there was another leader out there campaigning, promising: "No dump here. Elect me, my promise."

Now I'm asking you to live up to my commitment of a full environmental assessment and you won't even live up to that commitment, but you now say, "Dump where we tell you, full environmental assessment or not."

That betrayal of the people of this province—specifically, of course, the people around the 51 sites but the whole people of the province who were betrayed—is what is intolerable, is what is insufferable and is what I am speaking against today.

Mr Jim Wiseman (Durham West): It's dancing time again: Here the Liberals are back trying to convince us that they're the white knights of the environmental assessment process and we here are the people who do not have the environmental assessment process.

I would just like to take us back a little bit in time to where this all began. It began behind the closed doors of

David Peterson's office when the chairmen of the regions got together and created this cynical organization called SWISC, right here, where they decided that they were going to put across this province in Pickering, in Brampton, in Kirkland Lake and in Keele Valley landfills under the Environmental Protection Act.

They didn't even have the decency to come before this House to make the changes that they accuse us of having put into place. They said that P1 in my riding was going to be under the Environmental Protection Act. It was the only site, there were no comparisons and they did not care that it was on prime agricultural land.

In contradiction to what the Tories have to say, their leader went around the province saying that he was going to change the Environmental Assessment Act. Here is your press release. This is what it says:

"Harris said the new Progressive Conservative government would simplify the approval process and save money by allowing class environmental assessments, amalgamating the government and public review stages of the process, limiting appeals to cabinet to issues of policy alone."

This is what your government said. He didn't say in Whitevale, on the corner of Whitevale and Altona Road, that there would be a full environmental assessment. He said that there would be an abbreviation, which was no different than what we were getting from the Liberals.

Under this process, there is a full environmental assessment. The changes to the Environmental Protection Act that this government has put in place went through this House in a democratic process to change the way the environmental assessment would be applied. That was not done by the Liberals and for them to come before this House and say that they are the protectors of agricultural land is a cynicism that I find very hard to handle.

Mr Chris Stockwell (Etobicoke West): Why didn't you tell them that before the election? Why didn't you tell them you were going to change it before the election?

The Deputy Speaker: Order.

Mr Wiseman: I would like to point out this document that was published by Pollution Probe in August 1990: Five Years of Failure. Five years of failure would make it 1985 when they were in power. If you take a look at the graph in this document, you will see that waste was going up at a geometric progression and they did nothing about it.

They did more than nothing about it; they ignored one of the very best people in this province on waste management issues and caused her to lose her seat. Norah Stoner knew the solutions and you ignored her and you have the gall to come in here and make this kind of a resolution in this House. You hung her out to dry in P1.

You put it in the riding without a full environmental assessment and you come in here and say that you're protectors of agricultural land. Well, shame on you, because at the same time as you're saying that, you were the authors of what is called Project X, which was an attempt to change the environmental assessment process.

Mr Stockwell: Déjà vu, Wiseman.

Hon Mr Cooke: You don't understand the issue.

Mr Stockwell: I don't understand the issue? Holy smokes. What a joke.

Hon Bob Mackenzie (Minister of Labour): If there is a joke in this House, you are it.

Mr Stockwell: I don't understand the issue? Eight years we spent at council fighting about it.

The Deputy Speaker: Order, the member for Downsview, the member for Windsor-Riverside, the member for Etobicoke West. Please take your seat. The member for Durham West.

1610

Mr Wiseman: Let's talk about the protection of agricultural land. I see some members of the gallery who have come before committees in this House, who have talked about the protection of agricultural land and I applaud you for your efforts, because I agree with you that the protection of agricultural land is important.

But let me just put it to you like this: The town of Markham alone has a plan before it done by Lehmann and Associates which calls for a minimum of 3,000 acres of land to be flipped into the urban shadow. This plan goes from 3,000 to 6,000 acres. Under the 6,000-acre plan, M6 would be destroyed by an industrial subdivision, so I think it's important to recognize this.

Durham region has before this government an official plan that would destroy 23,000 acres of agricultural land. I think it's time we take a hard look at where the real pressures on agricultural lands are.

I'd like to deal just for a minute, because other members want to speak, with the issue of incineration and I want to say it very clearly, I will never support the burning of people's jobs. There are more jobs available through reuse, recycle and reduction than there are through incineration. Those jobs are being created while we speak.

I have had in my office members of the community who are ready to invest upwards of \$50 million in the economy of this province to divert waste in material recovery facilities, who are prepared to do this because of Bill 143. When you start to incinerate, you burn people's jobs and this is something I will never accept.

Time is of the essence and I will just close by saying that I find this kind of resolution, which is such a total flip-flop from what the Liberals were doing in power, is cynical at best and sets a new standard for what I consider to be hypocrisy in this House.

I will also come to the defence of the Premier, who never said, "No dumps." He said there will be no dumps on greenfield sites without a full environmental assessment. That's what this government is doing and that is what I am proud to be supporting.

The Acting Speaker (Mr Noble Villeneuve): Thank you. Further debate?

Mr McClelland: The member from Etobicoke says, "What a joke," and indeed it is. I find it almost absurd to try and respond to the member for Durham West and some of the absolutely incredible things he's put before the House today.

It seems to me that a person who has not the ability to deal with his own constituency and to face the issues

square on in terms of the people he represents, some of whom are here today and have said directly to him that they have absolutely no confidence—

Mr Wiseman: Mr Speaker, on a point of order: I have been dealing with my constituents in a way that is—

The Acting Speaker: Order.

Mr Wiseman: Just a minute, Mr Speaker. That party mailed this into my riding—

The Acting Speaker: Order. Take your seat, please. It is not a point of order, it's a point of view. The honourable member for Brampton North.

Mr McClelland: The point of view of the people of the province of Ontario, which it seems the member has forgotten, the minister has forgotten and surely the Premier has forgotten, is very important to this.

Minister, you said at the outset of your comments that you disagreed profoundly with the whereases. You may disagree with them, but the people up there, the people here, the people above you and all across this province agree with the whereases set out in this statement today.

Minister, your integrity is shattered, it is gone. Ask the people what they think. Ask the people who have showed up countless times to demonstrate in your presence and tell you what they think about your integrity, your ability to live up to what you said you were going to do and your absolute failure to do what you said you were going to do.

You know very well that you and your Premier promised there would be no expansion of landfill sites without a full environmental assessment and you know very well that you reneged on that commitment and reneged on that promise and did just the opposite.

The rules of the House, Mr Speaker, prevent me from telling you what that is, but the people of the province know what it means when somebody says they're going to do one thing and they refuse to do it and in fact do completely the opposite—

Mr Wiseman: What are you doing now?

Interjection: Martelling.

Mr McClelland: My friend says it's Martelling and I'll leave it at that. The people of Ontario know very clearly what that means. Talk about lack of confidence in the process. Let me just share with you a little anecdote, if you will, about what's happened with the Interim Waste Authority in terms of integrity and confidence in the process. This summer I visited some potential sites with my leader; she alluded to that. We visited a site just south of Whitville—

Mr Larry O'Connor (Durham-York): Whitchurch-Stouffville.

Mr McClelland: Whitchurch-Stouffville. Thank you to the member for Durham-York; his area. We visited that area, and we came to one of the sites and the gentleman who owns the farm said the following: "The people in the Interim Waste Authority and the Ministry of the Environment say that I don't have agricultural land in productive use. It's just not happening. You know why? Because they drove by in February and took pictures and said that my land wasn't in agricultural use."

Being a former—I think you still are farming. I want to advise the member for Durham-York, the Minister of the Environment and the Premier of this province that in Ontario during February we don't grow a lot of vegetables. It doesn't happen here.

I make that point simply to indicate the absolute absurdity and the lack of professionalism with which this government has undertaken the waste and site selection process. That, I think, speaks volumes, and there are countless other examples of the way the government has blundered from point to point in this process.

It comes back to something I want to talk about that I think is absolutely important when we come back and look at the very beginning of this government. Think back to the throne speech and the government that stood and said, "We are going to be different, and we are going to conduct ourselves and return to some principles of integrity." I say this; I hope to make a point.

I was speaking to a group of people, some of whom are here today, and told this little story about a youngster who asked his father if all fairy tales began with, "Once upon a time." The response was, "The Bob Rae-Ruth Grier fairy tale begins with, 'If you vote for me.'"

Madam Minister—I say through you, Mr Speaker—if you think that the people of Ontario profoundly disagree with the whereases in this amendment, you are living in la-la land. Look around, wake up and look at the people and listen to what the people of the province are saying. Remember them? The people you used to fight for, the people whom you used to stand in your place and say had the right to a full opportunity to participate in the process.

Now what do you do? You create the Interim Waste Authority. You say: "It's them. It's not me." We know what happens with the Interim Waste Authority. it's your agency, Minister.

Minister, do you know what they're saying out there when questions are put to the Interim Waste Authority about why it doesn't do certain things? The response is this, "We understand who's pulling the strings." They don't say it in so many words. They say: "We understand the policy of the government. We understand what we are supposed to do. We understand what the Minister of the Environment wants us to do."

So don't try to hide behind the Interim Waste Authority and say it's not your responsibility. The people of this province are not that gullible, and I say with respect, Minister, they are not that stupid. Don't try to fool them, because you're only fooling yourself. Everything that's happening here with respect to waste management and what you're doing around the greater Toronto area rests squarely and solely with you as Minister of the Environment. Accept that responsibility and don't try to pass it off.

During the election, it's been admitted that the Premier of the province stood and said: "I will not proceed with the location of new landfill sites, I will not proceed with expansion without full environmental assessment." What do we see now? What we see now is a government that says, "We're going to be consistent with the principles of an environmental assessment."

People are tired of word games, Madam Minister. Yesterday, during estimates, we said, "Let's try and do this process with a sense of forthrightness and integrity and maybe return some of that civility back to this process." That will not happen until governments and people in leadership, such as yourself, accept the responsibility that you can't play word games. Come out and tell it as it is, and at least live with the consequences. To try and dance around the issue and say, "We're now playing with principles instead of the process as it was," is, I think, absolutely disgusting to do to the people of Ontario. They do not buy that, Minister. Recognize that fact.

I want to touch base very briefly with some of the comments made by the leader of the third party. Minister, I'm talking about your plan, and our friends at the Recycling Council of Ontario who operate the waste reduction information service have the following to say about your plans in terms of waste management and reduction, a quote from their editorial put out in their newsletter of June 1992, "We wonder whether the consultative processes that have been conducted over the past year have had any meaningful impact on the government's specific actions." They go on to conclude, "It's a process that has in fact been largely superficial."

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Madam Minister, what you said before you were elected and what has transpired in reality has been entirely superficial. Please, don't ignore the people of the province of Ontario. Don't ignore the organizations that are represented here. Many of them have come here today and have been out in front of the Legislature. They have written you. They have brought petitions here.

They ask me the question, "Does what the opposition do make any difference?" Sometimes it makes no difference whatsoever. I don't expect the government, quite frankly, given its record over the two years it's been in power, to really listen to what we're saying, but I do expect the government to listen to the people of Ontario. I urge, I plead with the minister, if you're not going to listen to what we're trying to share with you, will you please listen to the people of Ontario? Will you please return a sense of respect to them, so that they can believe that you will listen to them, that when you come up with a formula and a process that is so utterly flawed as the Interim Waste Authority process, you will admit it, you will have the courage of your convictions and restore the confidence in people by saying, "We made a mistake," that there are things that have gone wrong here?

The Interim Waste Authority—with respect, good people; they're doing the best job they can under a system that was driven by political expediency right from the start—has said it made tremendous mistakes in the initial processes. They've delayed the release of the short list sites to try and clean up some of the problems. They're working with formulae in Caledon that have more acreage than exists up there. Their numbers are wrong. They're using census data that are irrelevant to the process involved to try and come up with a formula, another example—countless examples—that just indicates they don't know what

they're doing in this process because of the way the minister has mishandled what has taken place here.

I conclude with this, so my colleagues can share some of their concerns: Last night I met with one gentleman following a meeting. His name is Tony and he represents many people, men and women, with whom I've spoken over the past number of months in Ontario. Minister, I want you to listen to this because I don't want to be accused of being hysterical in raising this. Listen to the people of Ontario.

You say you don't agree that they have concerns about integrity. You say you don't agree that people are concerned about promises. Tony told me this, that he left the country he used to live in because he was tired of living under a dictatorship, and that he felt he was as bad off now as he ever had been. He said that this party that is now in power is anything but democratic, that would presume to come in and put at jeopardy his livelihood, his life and everything he has worked for in terms of his land and his lifestyle, put it in jeopardy without giving him an opportunity to have the straight goods up front.

Madam Minister, I didn't say that, Tony said that, and a lot of other people have said that and they continue to say it. You will, I know, continue to disregard what members of the opposition are saying, but listen to the Tonys of the province of Ontario, listen to the people who are represented here today who are saying to you today by their very presence that they don't have confidence in what you are doing, that they do not have confidence in the process you have initiated.

Back off, look at the total consequences, rethink it before untold damage is done, and seize the opportunity to do the right thing, please, for the sake of the people of this province and for the sake of the land and the environment of this province and future generations. It's for them that we plead this to you.

Please, rethink, listen to the people. They have a message for you, Minister. It's an important message. Hear them. Don't pretend to hear them; hear them and deal with what they are telling you.

The Acting Speaker: Thank you for your participation. Further debate?

Mr David Tilson (Dufferin-Peel): I rise today as the member of this Legislature representing the people of the town of Caledon, who have 15 of the 57 sites that have been chosen.

It is regrettable that the government wouldn't allow the amendment that was proposed by the leader of our party, Mr Harris, because the immediate issue isn't the reduction of garbage. As the Environment minister has said, she appears to be addressing that in her bill, Bill 143. That appears to be one of the areas she seems to be working on, and there is, as Mr Harris indicated, a reduction that has been taking place. It's starting to be addressed, at least.

The issue, quite the contrary, I believe, is the establishment of long-term landfill sites, or alternative facilities to deal with the residual waste stream and how we're going to handle that, the part of the waste stream that exists after the 3Rs, after the 3R activities.

There are a number of people from my riding, from the town of Caledon, who are with us in the Legislature who are concerned with all these issues and have been following the debates and the discussions that have been going on since the implementation of Bill 143.

Specifically, Mr Al Frost is a councillor for the town of Caledon, who attended with me to Kirkland Lake when he and I visited the Adams mine site as a possible alternative. I know the minister has ruled that out from the outset. She won't even consider it. She hasn't even looked at it.

Mr Jim Cassels represents DARE—he's the chairman of it—which is the group Don't Assault Rural Environment, which represents the people of the town of Caledon.

There is a woman by the name of Nancy Stewart who is also present in the Legislature. Her family owns part of one of the sites, and some of us have visited that site, which is prime agricultural land, has been for years, has been in her family for years. Included in that site is an area which is owned by the Metro conservation authority. It's rather remarkable, but that site includes that area. On the other side it's bordered by the Oak Ridges moraine. In the middle of the site is a cemetery, an old cemetery going back to the turn of the century, surrounded by prime agricultural land—a most astounding position.

Minister, it is rather a strange process to pick these sites, and that's just one example of one of the sites in our farming community. The people of Caledon certainly have a most difficult time understanding the rationale as to why we've arrived at that process.

It's fine to talk about recycling, that the garbage is all going to disappear. But it's not going to disappear. You're going to need other alternatives. Incineration has been ruled out, but you're not even considering it; you're not looking at it.

Interjection: Why?

Mr Tilson: I don't know. Are the Europeans wrong? Are the Americans wrong? Are the Japanese wrong? All these other countries are using incineration, but we won't even look at it, mainly because of a position of an environmental minister that goes back to her history as a municipal councillor, who has said, "I'm going to run and I'm going to be opposed to incineration for ever." So she's not going to consider it. She's not going to consider the long rail-haul option, which has been discussed, which has been voted on by the people of Kirkland Lake as a possibility, and I will deal with that in a moment.

As I said, the issue that really is before us in 1992 is Bill 143, which says we have to establish one landfill site within the boundaries of Peel, York-Metro and Durham. Our party, the Progressive Conservative Party, opposes this draconian legislation, which certainly, Madam Minister, you will agree is contrary to the purpose of the Environmental Assessment Act. If you've been listening to all the petitions that have been read to you, including today, section 5 of the Environmental Assessment Act states that a proponent must look at all the alternatives to a potential undertaking. A full environmental assessment would allow us to look at all the options. There are all kinds of options

that could be looked at in this issue that you have developed today, this crisis that you have developed.

For example, could there be one landfill site for all three regions? Could there be one landfill site for two regions combined? Could there be the establishment of a landfill site beyond the confines of the greater Toronto area, whether the type that has been suggested in Kirkland Lake which Mr Frost and I viewed or other similar sites, or other alternatives to landfill, and yes, incineration? Why can't we look at all of these alternatives?

1630

It's a very serious social issue that we have in this province. Why can't we look at everything? Why, for example, are you saying that only the GTA must get rid of its own garbage? Half of my riding is just outside the GTA, and I can assure you that people in the county of Dufferin who work not only in the town of Caledon but even further south create garbage in the GTA, people outside the GTA. That happens all over this province; it's a provincial problem.

Why are you simply saying, "Get rid of the garbage in the GTA"? There are other alternatives. Why are you putting your blinders on? Why won't you consider the other alternatives?

People like Nancy Stewart simply can't believe it. She wakes up one morning and there's going to be a super-dump opposite her farm, on an area that includes a conservation area and another area which includes the Oak Ridges moraine and which has a cemetery. She can't believe it.

How did you pick that site in the first place? Why didn't you have an environmental assessment to pick the 57 sites? Did you just close your eyes and say on a map, "I'm going to pick one of those sites"? Is that how you did it? Because there's been no rationale.

You wouldn't present those sites before the introduction of Bill 143. We on this side pleaded with you, pleaded with you to tell us the sites. I can tell you, the hearings on Bill 143 would have been absolutely chaotic if people in this province had known where those sites were going to be, but that's the style of this government.

Bill 143 is not a full environmental assessment. It's a Ruth Grier environmental assessment. That's what it is. It's completely different from anything we've ever seen before. It states: "This is the best solution, and don't let anybody interfere with it. This is the solution and this is the way it's going to be. We're tough."

We are not ignoring the principles of waste reduction in the development of new landfill sites. The capacity of new sites is based on projections developed after extensive application of the 3Rs; there's no question about that. We agree that valuable class 1-3 farm lands should not be considered as landfill sites. Do you? Because all of the sites in the town of Caledon, all 15 of them, are prime agricultural sites.

Mr Wiseman: The urban shadow.

Mr Tilson: Oh, the urban shadow. You don't even know what the urban shadow means. None of you knows

what the urban shadow means. It's mumbo-jumbo. It's an excuse to put a superdump in the town of Caledon.

I would like to make some comment with respect to the Adams mine site. If a landfill site is not established at the Adams mine, that land will remain dormant. There are other alternatives in southern Ontario. It seems you say, "There's a perfect site up there; it's got a natural clay liner," but you're not even going to have an assessment to see if it's possible. Meanwhile: "What a great idea. We'll put a superdump on prime farm land. That's what we'll do." So that's our plan. That's the plan the minister has.

The minister says that garbage used in incineration is a burning off of our resources which could never be replaced, that we should recycle it. However, Madam Minister, at present there are very limited resources available to recycle plastics into a useful product. What are we to do in the meantime? Where are all these recycled products to be kept? Because there are recycled products being kept all around this province; they're being warehoused.

Mr Wiseman: Good.

Mr Tilson: You say "Good." How long are they going to be stored there? When will something be started for this? Will it go on ad infinitum that you're going to gradually store all these recycled products?

While the blue box program is successful in most municipalities that have instituted it, these same municipalities, it's coming out more and more, are finding it very expensive to maintain, and some have considered dropping it because of the programs of financial restraints this government is putting them on.

The question is, given this set of facts which you can't disregard, are you going to consider any financial assistance to these and other municipalities if you are successful in your bid to have 50% of all our garbage recycled etc, which is what you've been stating, by the year 2000?

I would like to refer you to an article in the Mississauga News which came out in July. It talks about the plastics recycling program not working. The article states:

"Mississauga's beleaguered mixed plastics recycling program has received an 11th-hour, one-year reprieve from cutbacks announced last week.

"At a city general committee meeting earlier this month, councillors reluctantly scrapped the major portion of its progressive blue box plastics recycling program because there was simply nowhere to process the material and collection costs were soaring.

"Mayor Hazel McCallion told the Mississauga News Friday that she immediately called Grier to explain the demise of the recycling program and the ministry put three people to work to save the program."

So some of the recycling programs, it appears, are having considerable trouble.

Now I'd like to refer to a letter which was sent by the Minister of the Environment to a constituent of mine in Bolton, if I can find it.

Mr Gregory S. Sorbara (York Centre): Why don't we take a 10-minute break?

Mr Tilson: Yes, take a minute; take a break.

The letter was addressed to a Mr Philip King. The residents there were being asked if they were in favour of a full environmental assessment of the Adams mine site; of course there was a referendum which indicated overwhelmingly that the people of Kirkland Lake were in favour of that. The minister said to the constituent:

"These are our resources. If properly diverted from the waste stream, many solid wastes like paper and plastics can be recycled into useful products. Diverting waste from disposal to recycling facilities can mean new markets, jobs and economic benefits."

There's no question that if we get into a type of project at the Adams mine site, that's exactly what would happen. Kirkland Lake currently has about 40% to 45% unemployment. They want it up there. They want all the spinoffs. It is estimated that there would be 200 jobs on this particular site as a result of this project, which was a done deal and was simply canned by the Ministry of the Environment for no reason whatsoever other than her personal aversion to shipping garbage to the long rail haul site. Aside from that, there are all the many spinoffs that develop from recycling which would take place in that place.

Mrs Grier made a statement in this letter in answer to the question, "Can an environmental assessment be done at the Kirkland Lake site?" Her statement simply was:

"An environmental assessment can't be done on just one site.... All potential sites around the province would have to be considered. Such a province-wide search would threaten many communities across Ontario and would have no guarantee of success." Amazing.

How did she come up with the 57 sites? She's not going to have an environmental assessment at Kirkland Lake, simply because she says: "We're going to have to have an environmental assessment on all these different sites, but we're not having any environmental assessment at these sites in the three regions. We're simply going to go ahead. We're going to probably make a short list and then we'll have an environmental assessment."

1640

Again, I emphasize to the minister, why did she not proceed with an environmental assessment prior to instructing the IWA to commence a search for dump sites in Peel, York and Durham? Why would she not do that? If this is what she's saying to the constituent from Bolton, why would she not be consistent and do the same for these others? Why is she just putting on her blinders and picking 57 sites? It doesn't make any sense.

She also said in that letter, "An environmental assessment can't be done on just one site," that other sites within the search area must be looked at. She indicated, "A province-wide search would threaten many of the communities across Ontario and would have no guarantee of success," and that of course is the portion I just read.

What do you think you've done to the communities and the people of the 57 sites that you've already chosen, that have been chosen by the IWA? You say the IWA, but in fact by you. Don't you think that these people's homes and livelihoods are being threatened unnecessarily? You're putting them through hell, absolute hell.

Why wouldn't you have an assessment done and then determine whether those are going to be the sites? These people are all at wits' end. They can't believe what's happening to their lives. They can't sell their property; who's going to buy property that's on a dump site? They can't mortgage it; who's going to lend money to those people? These people's lives are being destroyed. They don't know what to do. How are these farms going to plan for the future? They're at a complete loss.

You also said that this would be an enormous cost to the taxpayers. Again, exactly what do you think this present process is, if it isn't costly? In Peel region they'd already spent \$8 million, at your request, in search of a dump site. Now you tell them, "Too bad," but another search is on under the auspices of the IWA which will ultimately cost \$19 million, at a minimum. We don't know what it's going to cost; my guess is that this is a low estimate.

If, as you have stated, the municipalities are responsible for their own garbage, why does the region of York have to take Metro's garbage, why does Caledon have to take all of Peel's garbage? The rationale doesn't make any sense.

I could go on and on on this subject. It gets most of us in this House excited. I'm surprised that members of the government aren't rebelling against their minister and getting excited as well, because it's a flawed process, it's a flawed system, it's a system that's not going to work.

I will be supporting the resolution.

The Acting Speaker: I wish to thank the honourable member for his participation. Further debate?

Mrs Irene Mathysen (Middlesex): I'm very pleased to participate in today's debate on the motion tabled by the Leader of the Opposition. I'd like to begin by telling the House that I regard it as a privilege the opportunity to work with the Honourable Ruth Grier for the environment of Ontario.

Though we as a government and the Minister of the Environment have just begun, a great deal has already been achieved. In response to some of the horrendous problems in waste management that have evolved in the last few years, our government has a comprehensive waste management-waste reduction action plan that is working.

Our plan is designed to move the province from a consumer society to a conserver society. This plan places emphasis on reduction and reuse of materials. It is a clear statement of something that the people of Ontario are embracing and making part of the way they work, live and play.

The waste reduction action plan has five major components. The minister has mentioned these, but I would like to reiterate them: effective laws that make waste reduction a higher priority than waste disposal; partnerships with businesses and institutions to reduce waste and to use and make products containing recycled materials; waste reduction programs that are financially healthy; provision to municipalities of the tools they need to plan and to make waste reduction work, and, finally, the information that people need to actively reduce waste.

I'd like to tell you, Mr Speaker, about specific examples of those five components of waste reduction. Real waste reduction begins with the determination to divert materials from landfill, a determination strengthened by law, Bill 143. In order to develop new and effective laws, regulations, policies and programs to promote the 3Rs, the waste reduction office was established within the Ministry of the Environment.

In October 1991, after preliminary consultation, the ministry circulated Initiatives Paper No 1. Its purpose: to propose regulatory measures to help achieve Ontario's waste reduction target by significantly reducing at source the flow of valuable resources from disposal sites. Interested individuals and groups were invited to comment on the proposed measures in writing to the waste reduction office. We knew that we would receive valuable advice from Ontarians to help reduce Ontario's waste management problems.

Initiatives Paper No 1 helped in the framing of Bill 143, the enabling legislation that put in place the needed amendments to the Environmental Protection Act. Specifically, the Minister of the Environment was provided with the power to regulate the various waste generators and require them to prepare waste audit and waste reduction work plans, establish and operate source separation systems and establish and operate composting systems. The minister can also set standards for a municipal waste management cost accounting system. These amendments to the Environmental Protection Act have provided this provincial government with the authority needed to regulate and ensure waste reduction.

In the past, governments have dealt with waste—and pollution, for that matter—after the fact, after it had been created. An overriding principle of our government is pollution prevention. It is simply common sense to deal with waste and pollution before they are created. If you don't create them in the first place, you don't have to dispose of them. Remediation and disposal are the difficult and expensive parts of the equation, and that expense has always fallen to the municipal taxpayer.

Despite the basic and obvious commonsense approach of prevention, we as a society need to help incorporate this principle into our practices a little better than we have. For far too long we've failed to realize that it's uneconomical to continue producing and disposing of unnecessary waste. Companies that have reduced the amount of waste they produce are finding out that waste reduction has proven cost-effective and has helped them to decrease their operating budgets. This speaks volumes in terms of the second component of our action plan: to work in partnership with businesses and institutions to reduce waste.

A more immediate example of this partnership comes from my own riding. Recently, I met on behalf of the minister with the committee of the London Chamber of Commerce that has developed a business plan for the proposed London Chamber of Commerce environmental resource centre. The mandate of the resource centre is to achieve, through ongoing and direct communication with government and affected businesses, the effective delivery of educational programs and resources to existing and new

businesses. The centre hopes to form a positive support network that will assist business with waste reduction and energy conservation audits, waste exchanges, promotion of new technology and environmental business opportunities and a central purchasing coordination for environmentally friendly products. I've discussed this London proposal with the minister, because we are all working towards the benefits that will ultimately help everyone.

We know we've seen some real success, because there has been a dramatic increase in the number of tires, for example, going to alternative uses. Currently, it is estimated that approximately 40% of the tires sold in 1992 are finding alternative uses, and it's expected that this number will increase to 60% by 1993. That's a significant diversion from disposal. Most recently, as the minister already mentioned, she and members of the Canadian retail petroleum industry opened the first in a series of used oil depots to be set up across the province as part of the province's waste reduction action plan.

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The third component of our waste reduction action plan is the financially healthy waste reduction programs that the Minister of the Environment has committed to. These programs will assist municipalities with their waste reduction. The total funding commitment for municipal 3Rs initiatives in Ontario for 1992 is more than \$20 million.

Ontario is a world leader in recycling and now in home composting. To date, the government of Ontario has distributed \$12.5 million to home composting programs. This has resulted in the province funding close to 500,000 home composters. Another 250,000 composters have been approved for funding. Home composting programs can reuse as much as 400,000 tonnes of kitchen and yard waste.

During Waste Reduction Week, the Minister of the Environment committed more than \$1.1 million towards model home composting projects in seven municipalities. In fact I'm confident that the Leader of the Opposition will be familiar with the project being run by the Northwest Ontario Recycle Association, NORA, for 26 municipalities in the Dryden area.

Of course municipalities need these tools to plan and realize waste reduction. That is the fourth component of the provincial action plan. The Ministry of the Environment and the Ministry of Municipal Affairs have released Initiatives Paper No 2, Waste Management Planning in Ontario. The purpose of this round of consultation is to find an effective new planning process that emphasizes the 3Rs, that makes waste reduction rather than disposal the focus of planning.

The paper also examines the powers municipalities will need if they are to manage waste and implement provincial policies. Clearly it is in the interest of all governments and taxpayers of this province to manage waste. The costs of disposing of that which we despoil are, as we are finding over and over again, horrific and increasingly unmanageable.

Finally, the fifth component, giving people the information they need to act on waste reduction. The Ministry of the Environment is developing province-wide education and information programs to help all members of Ontario

society find the materials they need to make responsible 3Rs choices.

A very important part of that is the TAG initiative or teaching about garbage. TAG will provide education kits for students in kindergarten through grade 6. The plan is to integrate waste management topics into a variety of study areas, including science, math, visual arts, music and literature. Eventually, the hope is to teach the students right through to senior high school. As a former teacher I applaud this approach. I'm sure everyone in this chamber is very aware of how effective this kind of teaching program is in terms of positive results.

That was brought home to me quite recently when I made a visit in early October to the environmental fair and exchange held at the special events building at the Western Fair in London. Apparently in September, there were two concerts at fairgrounds.

The first featured an artist who appealed to patrons of an older vintage. I'm certain that perhaps you may be familiar with that, an age group somewhat over 40. The cleaning crew remarked that despite the advanced years of the concert crowd, they had managed to leave a mountain of garbage behind once that concert was over. They had all but ignored the recycling containers.

The next evening, there was a second concert that featured a group currently popular with a significantly younger crowd. This group, of which I think the member for Scarborough-Ellesmere is a great fan, is called Bare Naked Ladies. At any rate, after that concert the cleaning crew at the fairgrounds were astonished by what they found in the aftermath of this lively concert, because they had very little to clean. The audience had indeed made use of the recycling bin and had been responsible with its waste. I think this is a clear signal of the importance of education, the power of education, and is a very hopeful sign for the future.

By way of conclusion, I would like to say to the members of this House emphatically, most emphatically, that I cannot concur with the motion tabled by the Leader of the Opposition. Clearly, the Minister of the Environment has delineated a workable plan, a conserver action plan for waste management in the province of Ontario. She and this government have accomplished a great deal in the last two years.

The actions taken by this government have significantly reduced the amount of waste that is ending up in landfill. Quite clearly, this government, this minister does have an effective and comprehensive waste reduction plan, waste reduction initiatives that are working.

The Acting Speaker: I wish to thank the honourable member for her participation in the debate. Further debate? The honourable member for York Centre.

Mr Sorbara: I'm not only pleased to be able to speak on the resolution today, I am very glad that this Legislature is now back in session and debating this resolution. Frankly, it appeared to me, for a while at least, given the way in which the headlines have been dominated by the referendum that is currently being discussed and upon which we will soon vote around Canada and the good

news, the winning of, first of all, the American League Championship Series and then the pennant, as a representative from York Centre and of York region, that the real issues of the day, of the people at least of my area, somehow had been forced to the back pages of not only the local newspapers but the daily press as well. Certainly in this Legislature those issues haven't been directed.

For the people whom I represent, although most of them are happy about the results of yesterday and most of them will cast a vote in the referendum, the things that really bother them are the terrible state of the Ontario and Canadian economy and, locally, this continuing, nagging, pressing problem of Bill 143 and the fact that Ruth Grier somehow decided in the privacy of her office—Ruth Grier, the Minister of the Environment, who has not had the courtesy to stay for the rest of this debate. Ruth Grier—I'm sorry, there she is, up there. I apologize to the minister.

The Acting Speaker: I would like to remind the honourable member that we refer to other honourable members by their titles or their ridings, please.

Mr Sorbara: I say to the minister, sitting with her former parliamentary assistant, that notwithstanding that the headlines are of a somewhat different nature now, the real issue for the people of York region, as well as Durham and Peel, is the war that you waged on them when you unilaterally decided—I guess almost a year ago now—without consultation, without justification, without any rationale based on environmental principles, that the best way to solve Metropolitan Toronto's garbage problems was to place a landfill site somewhere in the heart of York region.

Frankly, notwithstanding the wording of this resolution, which does have a number of whereases and does refer to the famous 3Rs, the real issue that we're debating in this Legislature today once again is the terrible impact that the minister's decision, and the bill that followed out of that decision, is having on the people of the province and specifically the people of York region, of Durham region and of Peel region.

In the time allocated to me, I want to say, particularly to the people from York region who have come down to hear this debate, that notwithstanding that we are in opposition and notwithstanding that the Progressive Conservative Party is in opposition, there is one thing I'm absolutely certain about, and that is that the effect of Bill 143 and its propositions, which is to place a megadump in York region and other dumps in Peel and Durham, will not come to pass. It will not come to pass.

I want to tell the people in the gallery, I want to tell the people in the members' gallery and I want to tell the people who are watching this debate that it will not come to pass, because one way or another the minister and the government will withdraw the bill or the government will be defeated. That's it, clean and simple. It is not going to win this one.

You know why it is not going to win this one? I'm going to tell you why: Because the plan itself, as scandalous as it is—a minister decides on her own accord that the best place for a dump is York region—as scandalous as

that plan is, there have already been a couple of months' delay in going from 57 sites to some 9 sites; there's already been a two-month delay there. But the plan, as laid out, goes well beyond the mandate of this government.

1700

If I have ever seen a one-term government in the 125-year history of this province, I am looking at one as I look across the floor. Whether it's economic issues or social policy issues or cultural issues or managing the economy or education or any other aspect—you can just go through the list—the way in which this government has arbitrarily handled environmental issues, and particularly waste management issues, is going to be one of the things where I predict here and now the commentators on the next election night in Ontario will say, "One of the reasons they were defeated is that they persisted in their determination to make York region the garbage capital of Metropolitan Toronto and the province of Ontario."

All the commentators will agree on that. They'll say: "That was one of the mistakes that they made back in 1991. That was one of the mistakes they made that set them on this course. What was exemplified in that decision was a kind of stubbornness and a kind of 'two hell with the people' attitude that characterized most everything else they did: labour legislation, the inability to deal with unemployment, the inability to deal with the depression. But somehow that one stood out," the commentators will say as they announce that Ontario's first socialist government has just been defeated.

Fortunately, whether that election comes in the fall of 1994 or in the spring of 1995—or if they're in real trouble, they'll wait till the fall of 1995; they'll go the full five years of this socialist poison that we're getting from this government—whether it's 1994 or 1995, the government will be defeated.

Interjections.

The Acting Speaker: Order, please. I would like the honourable member to address his remarks to the Chair, please.

Mr Sorbara: I am addressing my remarks to the Chair, sir. One of the things the commentators will say is that the government's inability to handle the environmental issues—

Hon Mr Cooke: He thinks he's the greatest thing in the history of Ontario. He is the most egotistical person in the Legislature.

Mr Sorbara: Why doesn't the government House leader just allow me the time to make my speech?

The Acting Speaker: Order, please. Interjections are out of order. The government side will have its opportunity. The member for York Centre has the floor.

Mr Sorbara: I would have thought the government House leader would have just paid me the courtesy of letting me make my speech even though he's not enjoying it.

The government is going to be defeated, whether it's in 1994 or 1995, in the spring or in the fall. The fact is that the Minister of the Environment is not going to be able to complete these disastrous Bill 143 plans before she and all

her cabinet colleagues leave office. The York region court challenge will delay it some more. The inability to complete the minimal assessment that is being proposed—it can't possibly be completed in the time frame the minister proposed under her bill. The people of York region will have something very special to celebrate as this province's first, and I hope last, socialist government goes down to defeat.

I just want to remind the people who are here to hear this debate and the people who are watching that whether or not we're elected—and I'm hoping we're elected but this is a democracy; it may be the Tories—I'm confident of one thing. The first thing the new Premier will say—I hope Premier McLeod, but it could be Premier Harris—one of the first acts of the new Legislature of the 36th Parliament will be to repeal Bill 143. That will be one of the first acts, because it hasn't yet been implemented. We still have time.

Bill 143 represents a closed-mind approach to waste management. Sure, the 3Rs are being implemented. Any government in power right now would be doing its best to implement the 3Rs. Sure, we are reducing effectively with the blue box program and the other programs the minister listed, but we still have to deal with disposal issues.

This government said in its bill: "We'll close our eyes to new technologies. We will not even utter the word 'incineration.' And we'll close our eyes to any other site in the province. We will choose the most fertile land in all of Ontario, Ontario's best farm land"—and frankly, if you go by assessments, the most valuable farm land in Ontario—"and we will use a classic outhouse technology: We'll dig a hole and we'll bury it."

If that isn't a head-in-the-sand approach to challenging issues, I don't know what is. They wouldn't even look at proposals being mounted by Kirkland Lake and others who are proposing other technologies. Those proponents of those technologies have come to my office and said to me, "I have been writing the minister for six months asking her just to look at this technology, and I don't even get an answer."

The fact is that a democracy is stronger than the pig-headedness of one government, and so Premier McLeod or—I hope not—Premier Harris, in his or her first speech from the throne, will announce that one of the first measures will be the repeal of Bill 143.

That's not to say that we'll have solved the problem. No, we won't have completely solved the problem; we'll have ended the war in York region. I want to tell my friend the member for Durham West that if he doesn't think this war in York region is going to continue to rage until Bill 143 is withdrawn or repealed or defeated through an election, he has not recently visited the neighbouring community to the community in which he lives.

Mayors are saying they will move heaven and earth to make sure it doesn't happen. The chairman of York region is saying, "We will challenge in the court." The people are out holding pancake breakfasts and having rummage sales to raise money to put out their flyers. This is a grass-roots movement to defeat the insanity represented by Bill 143.

The great thing in a democracy is that, generally, the people prevail. So this debate simply gives us an oppor-

tunity, as we begin the fall session of the 35th Parliament, to be here to continue to fight. We who represent York and Durham and Peel represent 500,000 people who are saying in a clear, loud voice, and in unison: "We will not have it. We are stronger than you because you get your authority from our vote. And if you do not repeal the bill, we will repeal your mandate." Frankly, I prefer the latter and I can't wait for that day to come.

The Acting Speaker: I wish to thank the honourable member for his participation. Further debate?

Mr Stockwell: I'm glad I have this opportunity to once again remind the government of exactly why the people in the GTA are so upset with you and your policies with respect to land, landfilling, dumping, garbage. You see, this government doesn't seem to understand why the public out there is upset, why Mr Wiseman is going to lose his riding and why Mr O'Connor is going to lose his, and so on and so on. Let me try to explain briefly, because I know our Environment critic would take an opportunity to comment on this motion.

Briefly, this is a plan that the Ministry of the Environment has brought forward. There's no debate. It's a plan: 57 dump sites, a shortened environmental process—maybe three years. It's a plan. The problem with the plan is simply this: Before the election, this wasn't your plan.

Mr Wiseman: Yes, it was.

Mr Stockwell: Oh, Mr Wiseman. Thank God we're inside so the lightning can't get us, suggesting that this was their plan. The plan of the party across the floor was enunciated very clearly by the Premier, then leader of the opposition, at Keele Valley, at Britannia, at sites around the province. "No landfill site will be expanded or approved without a full environmental assessment hearing." That's what he said.

How long did it take for the last environmental assessment hearing to be approved? How long, you ask? Seventeen years, in Halton. How long will it take under this process? Two or three. You see, that's the problem, that's the rub, that's where you weren't squaring with the public, because you said—and I look at the member from Durham right in the eye—that any site would be given a full environmental assessment hearing, thereby implying 17 years, and a full hearing meant every possible alternative from Kirkland Lake to Lake Ontario.

What do we have today? Fifty-seven sites in the GTA, some resting on prime farm land—another promise they broke—that are being examined for a megadump site in three regions to be approved in three years. There's the trouble.

1710

Mr Wiseman: The site in Durham is the size of 20 years.

Mr Stockwell: The member can keep cackling. He can only cackle for two and a half more years, thank God, but he can keep cackling. But that was the promise. And there's the Labour minister. Probably you didn't understand the promise before the election, so I don't blame you as much. But we have this government sitting here today

trying to tell the good people of the GTA, "Before the election this is what we promised you."

The electorate isn't dumb. The electorate has a memory. The electorate has newspapers that record these pearls of wisdom dropping from the now Premier's mouth. They recorded them, and he said categorically, without debate, "You won't have a dump without a full environmental assessment hearing." There's the rub. That's why these people are here today. That's why you get thousands of people in auditoriums fighting this government, because it is not fulfilling its campaign promise.

What we have is my favourite article, from Tuesday, July 31, 1990, in the Toronto Star, page A10. Then Leader of the Opposition, Mr Bob Rae, accused then Premier, Mr David Peterson, of being—dare I say it?—a liar. Can you imagine an opposition leader saying a Premier is a liar because he didn't fulfil his campaign promises? Unbelievable. But as I live and breathe, I stand here today and we have an expansion at Keele Valley, we've got an expansion at Britannia, we've got 57 potential dump sites, we've got three megadumps, and you didn't tell anybody you were going to do it before the election. So why does this make the electorate angry? Why do things like this when in opposition and once in power do exactly what they accuse the government of? Why does this make people upset? It makes them upset because they believed you. They thought that when you promised them "No dump" you were being sincere. That's worse than making no promise at all. That's worse, so pardon me for getting a little exercised when I hear the member from Durham stand up—

Hon Mr Cooke: We're used to it.

Mr Stockwell: And there's the House leader cackling, who, being from Windsor, suggests that I know nothing about this issue. I would suggest I've forgotten more about the landfill issue than he ever knew.

Mr Wiseman: You were the one who was going to dump on all the neighbours.

Mr Stockwell: Here goes the cackle again.

The Speaker (Hon David Warner): Order. The member for Durham West, come to order.

Mr Stockwell: The member for Durham West is cackling again. The problem that this has foisted on the people—

The Speaker: It would be very helpful if not only would members just listen, but if the member for Etobicoke West would address his comments to the Chair.

Mr Stockwell: Yes, Mr Speaker. The problem facing the people in the greater Toronto area is that with this announcement—

Interjections.

The Speaker: Order.

Mr Stockwell: —you've depressed land values, you've ruined neighbourhoods, you've ruined family homes, you've ruined farm land. For what? For a plan that you didn't tell anybody about, because if you did I wouldn't have to put up with the member for Durham West.

I'm frustrated, the people in the GTA are very frustrated, our party is very frustrated and I am in full agreement with the member from York. When the next election rolls around and the people in these regions go to vote, they're going to remember what you said before September 6, 1990, and they're going to remember the actions you took subsequent to September 6, 1990. The people are never wrong. I'll be very pleased and very happy when they elect a Conservative government and we can begin the environmental assessment process on Kirkland Lake.

The Speaker: I thank the honourable member for Etobicoke West for his contribution to the debate and recognize the member for Kingston and The Islands.

Mr Gary Wilson (Kingston and The Islands): It's somewhat daunting to follow such a thunderous oration, but I suggest it's full of sound and fury and signifies not too much.

I want to refer to his colleague the member for Dufferin-Peel, who raised the issue of the Bill 143 hearings, and to point out that many groups sent representations to that committee to say that they were dead against transporting garbage and also against incineration. In fact, I have a covering letter from the Ontario Waste Caucus of the Ontario Environment Network that refers to this. They surveyed 45 groups, and they found that of the 45 groups that had established a position on transporting garbage, 100% endorsed the "no transport" statement; of the 42 groups that had established a position on the incineration issue, including energy from waste facilities and energy-derived-fuel projects, 98% endorsed the "no incineration" position.

From the "no incineration" position, another statement to the Bill 143 hearings had a couple of paragraphs that I think we'll find instructive.

"Incineration poses serious health risks, environmental damage to air, water and land, and goes against the principles of conservation and responsible waste management.

"With incineration removed from the list of options, we can move forward with more innovative waste reduction strategies and explore environmentally more acceptable disposal methods that do not include incineration, energy-from-waste or refuse-derived-fuel facilities."

On the "no transport" position, again a couple of paragraphs from the submission to the Bill 143 hearings:

"In our view, transportation of solid waste from the area of generation of the waste is not an acceptable alternative to be considered either in the waste management master planning process or in an environmental assessment. We support that particular section of part II in Bill 143.

"We believe that such transport of waste is counterproductive to the establishment of aggressive 3Rs programs and facilities in the area in which the waste is generated and goes against the principles of conservation and responsible waste management."

More than 30 groups support this statement, again from the Ontario Waste Caucus. Among them is one on the Bruce Peninsula; the member for Bruce might be interested in talking to them to find out some of the details on this.

However, I would like to go on to what our government is doing, as that's a question that's raised in the opposition resolution. Our government has a plan to achieve waste reduction in five ways: by introducing effective laws that make waste reduction a higher priority than waste disposal; by ensuring that municipalities have what they need to plan and to make waste reduction work; by working in partnership with business and institutions to reduce waste and to use and make products containing recycled materials; by making waste reduction programs financially healthy; by giving people the information they need to reduce waste.

I focus on the last one, "by giving people the information they need to reduce waste," because I think that's an essential item in finding the ways that we want to reduce waste, which I think is the answer to the question of how we manage waste in this province. I'm pleased to say that the ministry found over \$400,000 to grant to an agency in my riding, the Kingston Area Recycling Corp, which has had vast success in diverting waste from landfill into recycling projects.

1720

In particular I want to mention composting, because that refers to a resolution I introduced in the House in the spring that got all-party support, as I was pleased to find. I think everyone agrees that that is a very effective way of diverting waste, but again, it has to get out to the people.

Part of the proposal of the Kingston Area Recycling Corp is to hire people to go through the streets knocking on doors to see what people know about composting and how they can get involved. They're finding a very good reaction to that. It's been in operation some five weeks. They're going to base those five weeks to see how they carry out the last weeks of the program, and this will become information for the rest of the province. I see a very hopeful development here in what the Kingston Area Recycling Corp is doing. I got much information on it from Janine Papadopoulos, the education and public relations officer of KARC, who is monitoring the project and will give us back the information.

There are several other areas. They have a pilot project that goes from the six items that can be recycled in the greater Kingston area to a pilot project that deals with 16 in a smaller community to see whether that can be adapted to the rest of the riding. I want to say that there are some very hopeful developments taking place. I think our government is certainly putting money where it counts. We'll have the information out to the people, get it back and be able to work on these kinds of developments.

I find that the opposition resolution on this matter is completely out of order and I will not be supporting it.

The Speaker (Hon David Warner): I thank the member for Kingston and The Islands for his contribution to the debate and recognize the honourable member for Markham.

Mr W. Donald Cousens (Markham): I hope we can survive till 1995, when at that time we can do something about this motley crew of New Democrats running the government. I happen to agree with my friend the member

for York Centre that one of the first things that will be done—if the Liberals would do it, I can tell you we were saying it as well—is that we will be revoking Bill 143 as much as is possible. It stinks, it's bad, and if you think garbage is bad, what this government is perpetrating on the people of the province of Ontario is as bad as anything I've ever seen.

The frustration level is growing from all the people out there who are having to suffer through the decision-making process the New Democrats are placing upon the people of the greater Toronto area and the rest of the province. Every issue they're touching is turning sour. It's the opposite of the Midas touch when things could turn to gold. What you people are doing as a government and what you try to justify to the people is scandalous. The people out there will remember it and remember it well.

The preamble to the Liberal motion makes an awful lot of sense and explains well how the New Democrats have initiated the landfill selection process; how the confidence and integrity of the government has just been dissipated in York, Durham and Peel; how the government has broken its promise about how it was going to get in place to protect irreplaceable farm land. We know what a farce that is when we see what they've done in York, Durham and Peel. When they say they're going to have the fullest kind of environmental assessment, we know that Bill 143 abrogates the right to a full environmental assessment, and yet they won't acknowledge that when they come along approving other landfill sites.

The Liberals have made a mistake with their motion, though. I challenge Ms McLeod and her members to stop and reflect on waste reduction. You closed your motion. I wish you'd been far more refined in defining—

Mr Wiseman: Why don't you two get together?

Mr Cousens: I think they've raised a point about waste reduction, and it's a credible point. What'll happen is that we're going to reach the 25% reduction by the end of 1992, this year, as explained by Ms Grier, but I wish the Liberals, who brought forward this motion, had looked at their conclusion. It could have been far more to the point, according to the preamble.

The problem we've got is dumps, dumps; dumps. This government has dumped on the people of York, Durham and Peel. I'm not sure if there's any way we can get the attention of the Honourable Ruth Grier. The people have tried. The minister has failed to respond in a significant and meaningful way to the issues that have been raised in this House.

There is no rationale at all for the government to preclude consideration of options other than just landfill. This government will not allow rail haul to be subjected to a full environmental assessment. They will not allow incineration to suffer through a full environmental assessment. Instead, you've got an ideological decision made by the minister and you don't permit the free thought and the free process of allowing these things to be subjected to technical considerations, scientific considerations, economic considerations. It's closed-minded.

The minister has not come back and explained why York region must be the recipient of Metro's waste. That is not at all—

Mr Wiseman: That was the deal.

Mr Cousens: It's not a deal; it's a wrong deal. York region never accepted—I'm telling you, Mr Speaker, if you could shut this person up you'd do the world a favour. I get sick and tired of his interruptions. He doesn't listen, he interrupts, he's stupid, ignorant and I find him repulsive. Tell him to be quiet.

The Speaker: Order. First of all, the member for Markham, I think, if he reflects on the words he's just spoken, would realize that they're not parliamentary in nature and I would ask him to withdraw. While he's considering that, I would request the member—

Interjections.

The Speaker: I'm asking the member for Durham West to exercise some restraint. I realize this is an emotional issue, but I ask him to exercise restraint. At the same time I'm asking the member for Markham, an experienced member of the House, to show respect for the parliamentary language and to withdraw the remarks he has made.

Mr Cousens: If I have in any way offended the member, I withdraw those remarks as being unparliamentary. I did not heckle him when he had the floor and I would appreciate the same courtesy, which is lacking from that member. If the Chair is not going to do something about it, what can I as a member do? If the Chair isn't going to take control of people who are interfering and interrupting others' speeches, I have to take offence at something. If you're not going to act on it, Mr Speaker, then I have to act on him.

The fact of the matter is, the other issue that stands before this issue has to do with Premier Bob Rae himself. Where is Bob Rae when we're coming along and looking for him? I ask you, if there's a refrigerator opening, he'll be standing there ready to help himself to it, but if there is something happening where you've got a need for the Premier to come out—he's been out with Dudley Laws; he's been at the front steps of the Legislature when there have been rallies on and things like that; he goes out on Labour Day for a labour march, but we've had several demonstrations here at the front of the Legislature when he's been in the building and he would not so much as come out and speak to the people of York, Durham, Peel and Metro.

When he was in opposition he was everywhere, talking and promising, and yet now, when this issue comes out, the Premier himself has been absent. He has not participated.

That is a different person than we saw when he was leading the opposition. He was crusading and criticizing everybody else. I hold him up now for the judgement of the people of the province of Ontario that you have a different Bob Rae today as Premier than you had in Bob Rae as the Leader of the Opposition. When he was in opposition he was making all kinds of promises and he was going to do something about it. Now that he is Premier he has forgotten those promises. He is not living up to them; that is what has happened.

Where is the Premier, then? What he has done is put a circle of people—he has had the honourable Minister of the Environment, who has been absolutely stonewalling people in the regions on this issue. Then now, in order to protect her, she's had Pitbull Pitman put in charge of the whole Interim Waste Authority. Therefore, you've got someone else as another layer of protection. So when you send a letter, you go through layers and layers and you don't know whom you're going to hear from and seldom do you hear.

It's a fact that the people out there in Ontario feel they've elected a government and no one knows how to get through to them. It's impossible to get sense out of them if they're not going to look at options. If they're not going to give honest feedback to people, the frustration level builds. People have no way of communicating with Bob Rae's government, his ministers and his people. They have set in motion a series of actions and it would seem they have closed their minds not only to their promises but to the other parts of the population that didn't vote for them.

On September 6, 37% of the people voted for them. I'll tell you, there were a number of people who didn't vote who wish they had now, and it wouldn't be an NDP government. If it were a minority government, you would never have seen Bill 143; you would never see this bill before the House; you'd never see this resolution having to be debated.

1730

It's a level of confidence, and I'm going to support the Liberal opposition motion because as for confidence in this government, I have none, absolutely none: none in Bob Rae, none in Ruth Grier and none in the people who support them.

Interjection.

Mr Cousens: If you don't have anything to say that's useful to say, if you're to start interfering—

The Speaker: Order. I ask the member for Markham to come to order.

Mr Cousens: Well, then, tell him to behave, Mr Speaker. He's not in his own seat. He's making all kinds of remarks.

The Speaker: I ask the member for Markham to come to order, and the member for Downsview as well.

Mr Wiseman: You're a hypocrite, Don.

Mr Cousens: What did you just say? Point of order, Mr Speaker. I have a point of order.

The Speaker: Take your seat. The member for Durham West, you cannot use unparliamentary language in here. I ask the member to withdraw his unparliamentary language.

Mr Wiseman: You are absolutely right, Mr Speaker. I should not have called him a hypocrite, because that is completely unparliamentary, even though over the last two years he has totally heckled me—

The Speaker: Will the member take his seat. I asked the member to take his seat. The member should be reminded, as I remind all members, that when asked to withdraw a comment, all that's needed is a simple "I

withdraw." I thank the member for Markham for his contribution.

Mr Paul R. Johnson (Prince Edward-Lennox-South Hastings): I've waited patiently all afternoon to speak to this motion and I want to speak to the motion, but I notice that the members on the other side haven't really spoken to it as well as they should have. They talked about other things.

For example, the member for York Centre said that the Minister of the Environment personally decided that there was going to be a dump in York. That's not true. The Interim Waste Authority will, through its environmental assessment, decide where the best place to locate a landfill site will be. I think that's a little different than the minister saying there will be a landfill site in York.

I want to say too that the member for York Centre was very quick to get up on his feet when the minister actually wanted to talk to another member in the House. She got out of her seat and went to another place, and he was very quick to point out her absence. I think what I should point out is that the leader of the official opposition is not here. It's her motion, and I would have thought she would have been very interested to hear the debate in the House today, but she wasn't here to do that.

No one on the other side has actually spoken to the motion. That really concerns me. I want to speak to the motion and I want to say that what the motion asks of the Minister of the Environment and of the government of Ontario is being done in my constituency of Prince Edward-Lennox-South Hastings. The South Hastings recycling centre is located in the honourable member for Quinte's riding, but it services a broader area. It's located in Trenton. The name is a misnomer because it does service Prince Edward county, part of my constituency, and it also services Napanee, which is outside of the Quinte and South Hastings area.

However, I just want to talk about the blue box 2000 program. It's a year old. There was a lot of excitement back in my riding a year ago when this was first implemented, a very good response from the public. It collects all the basic blue box items like glass, cans and newsprint, but it also collects rigid plastic, foam plastic, film plastic, magazines and catalogues, aluminum foil and trays, boxboard, textiles—and that's clothing; I think we heard the minister speak of that earlier today—and mixed household paper.

When all these things go into the blue boxes, there's not much left that has to go to a landfill site, especially if those households compost as well. I want you to know that not only is this just households, but schools, hospitals and apartments are also serviced by this program; 80% of the households in the catchment area are serviced, and that's 21,000 households. Local dumps have reduced their volume of garbage by 35% to 50%, and I think that's very significant.

What does that say? That says that part of the motion the Leader of the Opposition has introduced is in fact happening. They're asking for "measurable progress for waste reduction in Ontario." It's happening. It's happening in my riding; it's happening all across the province.

Let me tell you that the people in my constituency don't want garbage to come from the greater Toronto area down to their area. The people in the Marmorton mine, the people in Marmora, are totally opposed to this. You may have heard, Mr Speaker, about the TNT group from Marmora, Take No Trash?

Let me tell you, the leader of the third party stood at the rim of the Marmorton mine and said there would be no garbage in this mine ever. Why does he think now it would be good to send it to Kirkland Lake? It's a very similar circumstance, yet he's saying there'd be none in Marmora, but it's okay for Kirkland Lake. I'm a little confused. I suggest maybe the leader of the third party is also.

Not everyone is opposed to Bill 143 on the other side, especially with regard to incineration, and two people who come to mind specifically are the member for Ottawa West and the member for Mississauga South. They both know incineration is 'not good. It doesn't encourage people to become conservers. It encourages people to become consumers. I know the member for Ottawa South doesn't want that incinerator across the river in Hull, so he would find Bill 143 most acceptable, no doubt. Also, the member for Mississauga South doesn't want to see an incinerator down on the shores of Lake Ontario, not at all.

There is always room for improvement, and I think the Minister of the Environment would agree with that, but in order to improve something that exists, you have to have suggestions for improvement, and quite frankly I haven't heard today any suggestions for improvement in the process that exists within the Ministry of the Environment.

Time's running out, Mr Speaker, and I know you're going to ask me to sit down soon. I don't agree with this motion for a minute and I don't support it, as I'm sure all my colleagues don't.

The Speaker: I thank the member for Prince Edward-Lennox-South Hastings for his contribution to the debate and recognize the member for York North.

Mr Charles Beer (York North): In closing this debate, I want to do a couple of things: first of all, to bring the circle round and to explain why we are dealing in effect with two issues within this resolution and why it makes sense, and I want to thank the members of the third party who are supporting it, even if they have mentioned some concerns around the final part of the motion. But I think it does fit together and it's important to understand how.

We have had in this Legislature, over the last number of years, both when we were government and since the New Democratic Party became the government, discussions around the need for the 3Rs and how to go about better programs for recycling, better programs for reducing, better programs for eliminating waste. The problem, as always, is not in the words that are used in setting forward these principles and objectives but in ensuring that in fact we get on with the job.

My colleague the member for Brampton North referred to an editorial that appeared in the Ontario Recycling Update in the summer. What was said there in terms of the lack in effect of a plan and a rationale was not that there aren't words there and that the intentions aren't necessarily

good, as I believe was the same with our government and would be the same with the third party, but that unless we really get on with it and begin to see concrete results, we are going to have increasingly the kinds of problems that have emerged in the greater Toronto area, and in particular the feelings, the emotion which people now have in those areas around the core of the government's solution to all these issues of recycling and reducing and reusing, which is that somehow the cornerstone of that is going to be the creation of a huge megadump in York region.

What we're saying to the minister is, whenever this issue arises, no one, including the minister, has ever explained why the creation of a landfill site the size of the one that is proposed for York region can possibly be at the base of a forward-looking environmental policy, not just for the 1990s but for the next century.

It is the juxtaposition of the words around what this government says it's going to do in terms of the 3Rs against what is actually happening, and more specifically, what is now going on in Peel, Durham and York region, where hundreds of people since June 4 have been subjected to a process gone mad, where what they're looking at is their lives on hold and where they don't know what is going to happen. It is made worse by the fact that earlier in September, the deadline for the establishment of the short list was put off until some time in November. Who knows ultimately what time that will be.

1740

If there is to be credibility in an overall environmental policy, we have to see not just good planning documents, not just the setting out of percentages and timetables, we have to see action that is beginning to follow those plans; not individual, separate things that are happening in different parts of the province—that's all good; no one is opposed to that—but we need something much more specific and clear.

My colleague from Durham York will recall that earlier in this session we had a group of people down from Georgina known as Georgina Against Garbage. Their key issue was that of reduction. They had a whole series of different kinds of containers and plastics in front of the Legislative Building and they were noting: "We don't need these. We can do this in a much different way." They were really saying, "Government, let's get on with it." That means all of us in this House.

Generally speaking, people are ahead of us on these issues, and that's what we have to see if we are to go back and deal with some of the real landfill issues that are still with us, because as has been said by many on this side today, even with the 3Rs, we know we have problems around landfill. If we're going to deal with those, we have to deal with them in a process that people can feel comfortable with and can believe is genuine and fair.

The last time we debated this issue was a private member's motion which the member for Markham, myself and the member for York Centre put before this House. We began by dealing with Bill 143. Members opposite like to tell us: "That bill went through a very fair process. There was discussion, there was debate and finally there was a vote." And there was a vote. The government had the

numbers and it went through, but what so many of us pointed out in looking at that bill was the kind of arbitrary authority that was granted to the minister and to the Interim Waste Authority, which as my leader pointed out and the minister has to admit, is not an arm's-length authority when the board of directors is made up of deputy ministers from the government. It is also an authority where the minister said she was going to appoint civilian members of that board. We have never seen that as well.

What people in York, Peel and Durham are facing is a process the end of which we know is going to mean, in the case of York region, a dump that is bigger than Keele Valley, that will be the largest landfill site in North America. The question that comes back time and time again from people in York region is why. Why is that the solution?

Several members on the government side have even said during the debate today: "Look, we're doing all these wonderful, marvellous things in the 3Rs. We're not going to have that much garbage." If that is true, then why are we looking at a process that's going to bring about this 80 times SkyDome-size dump, this 13-storey dump that is going to rise out of the ground and on which, in a real sense, people are having no say?

I have often used the analogy as I've gone around York region and into other parts of the GTA that what has happened here in this process is that this government loves process. They like to establish elaborate processes in which they think that somehow out of all that something good is going to come. So what have they done with this one? The analogy again is to say simply: "We want you to be able to come forward and express your views, but at the end of the day, there's no question there will be this megadump. You're not allowed to look at any other options or alternatives. Those are not on the table."

That was made clear in Bill 143 and the minister has made that clear since: "You can't look at it, but by all means come out and talk. We want you to develop your thoughts and ideas. We want you to go through all the criteria that are being brought forward on which we're going to base our decision to select both the short list of sites and finally the one site."

Again, it is just as if you were talking to a condemned man who is going to hang and you said, "Yes, we want you to join with us in determining where you're going to hang, the colours of the room, all the accessories," but at the end of the day your short list is simply that you're gone. You will hang.

For the people today around those 57 sites, what has been excruciatingly frustrating for them, particularly since September, is not knowing what is going to happen, not being able to get on with their lives. You only have to go out and talk with people. You only have to go out, as so many of us did during the summer, to the countless barbecues and picnics that the various organizations—and I speak here of the ones in York region, whether it's Georgina Against Garbage or the organizations in King, the King-Vaughan group RORES, Whitchurch-Stouffville, Markham, Vaughan CARES, all of the different groups that are trying to maintain a sense of positive outlook that

somehow this nightmare would end and this giant megadump would never see the light of day.

The one thing that was there was, "Well, at least if we can get to the short list, we can group around those who are left and really begin to fight that." But of course that hasn't happened. If you go on to the farm lands—and we spoke of the Ministry of Agriculture and Food earlier in questioning—what has the Minister of Agriculture and Food specifically been doing in talking to the Minister of the Environment and saying, "Minister, when we were in opposition we made a firm and strong commitment about the protection of agricultural land"?

I think what so many people are asking, certainly in York region and indeed in Durham and in Peel, is: Where is that protection for agricultural land? Because whether you're going up in an airplane in February to try to take infrared shots of snow or you're going out in the middle of the summer on to what clearly are agricultural lands, many of those acres being prime agricultural land, and somehow insisting that can be a dump site—people can't accept it. It's not credible, and there is no integrity in a process that says that is going to happen. So we shouldn't be surprised that the kind of emotion that erupts in this House or the kind of feeling and emotion which is expressed in the various demonstrations we have had in front of this Legislature are real and that they exist in the communities I represent and in other communities throughout the greater Toronto area.

The other thing that is important to underline in terms of those feelings is that many of the people who are directly involved in protesting this flawed process, Bill 143 and what it leads to, are themselves environmentalists of the strongest order. One of the things I take great exception to is when people will look at some of these communities, at the local government leadership, at the leadership of the people who are putting together the citizens' coalitions, and say, "Oh, well, you just don't want it in your own backyard."

I would remind everyone that York region has had an enormous dump in it that has taken the garbage of Metropolitan Toronto and York region for many years, so don't talk to us about what is in our backyard. We have said—the local communities, the region of York—that we have a responsibility for our garbage and that we have to work out how we will deal with that.

But when unilaterally we're told, in Bill 143 itself, by legislation, that the garbage from Metropolitan Toronto will come into York region and, "We're going to grant to you this enormous dump," people simply say, "No, that is not fair, it is not reasonable, it is not just, and there is no process that can be developed which by any way or shape of the imagination can be seen to be fair, can be seen to be reasonable, can be seen to be democratic."

1750

This is why the members of the third party and the members of my party are saying that Bill 143 cannot stand. It puts power in a place where it ought not to be. It says there is not due process because that bill says there shall be a landfill site in York region which is going to have to take

the garbage of Metropolitan Toronto and York region, and nothing else can be looked at as an option or an alternative.

Whatever the feelings are of certain members opposite around incineration or around rail haul or around any other form of waste disposal, we have all said, and it is in the Environmental Assessment Act, that when you are considering what to do with waste disposal, you must look at all the options. That's what we've been asking for, that's what we asked for during the debate on Bill 143, and it is that which consistently this government has refused to grant, not to us in the opposition but to the people who will be most directly affected by the imposition of these three dumps, and the one in particular of direct concern to York region, the megadump.

I ask the members of the government not to go back and say to themselves what the plans are around the recycling and reducing programs, where a great deal of words have been spewed forward, but to ask how real is it, is it happening, and to measure that off against what Bill 143 has asked be done and the concerns that are being expressed in the areas around Metropolitan Toronto, because clearly the two can't go together.

The process of Bill 143 is flawed. The bill itself is flawed and the end result is unacceptable. It is this which we have tried to put forward to the government and to say that we must stop this madness before it is too late and put in place a much more responsible process that will be able to look at all of the options that are available to the government and that are available to the province.

It is for this reason that we say these two issues are absolutely joined in this motion and that the government has failed us in terms of its long-range planning on the environment and it has completely failed us in terms of the specific issue of waste disposal in the greater Toronto area.

I would urge all members to support our motion because if we do that, we can go back to the drawing board and come up with far more sensible waste disposal plans and, in particular, end the madness in York region, in Peel and in Durham.

The Speaker: I thank the honourable member for York North for his contribution to the debate.

Mrs McLeod has moved opposition day motion number 1 which stands in her name. Is it the pleasure of the House that the motion carry?

All in favour will please say "aye."

All opposed will please say "nay."

In my opinion, the nays have it.

Call in the members. There will be a five-minute bell.

The division bells rang from 1754 to 1759.

The Speaker: I ask the members if they would please take their seats. Would all members please be seated.

Would all those who are in favour of Mrs McLeod's motion please rise one by one.

Ayes—24

Beer, Bradley, Brown, Cousens, Eddy, Elston, Eves, Henderson, Jackson, Mahoney, Mancini, McClelland, Morin, Phillips (Scarborough-Agincourt), Poirier, Poole,

Ramsay, Runciman, Sola, Sorbara, Stockwell, Tilson, Turnbull, Villeneuve.

The Speaker: All those who are opposed to Mrs McLeod's motion please rise one by one.

Nays-54

Abel, Allen, Buchanan, Carter, Charlton, Christopher-son, Churley, Cooke, Cooper, Coppen, Dadamo, Duignan, Farnan, Ferguson, Frankford, Gigantes, Grier, Haeck, Hansen, Harrington, Haslam, Hayes, Hope, Jamison, Johnson, Klopp, Lankin, Laughren, Lessard, Mackenzie, Malkowski, Mammoliti, Marchese, Mathysen, Mills, Morrow, Murdock (Sudbury), North, O'Connor, Owens, Perruzza, Pilkey, Rizzo, Silipo, Sutherland, Ward (Brantford), Wark-Martyn, Waters, Wessinger, Wilson (Kingston and The Islands), Winninger, Wiseman, Wood, Ziemba.

The Speaker: The ayes being 24 and the nays 54, I declare the motion lost.

BUSINESS OF THE HOUSE

Hon David S. Cooke (Government House Leader): Pursuant to standing order 53, I'd like to indicate the business of the House for next week.

On Monday, October 19, we will do third reading of the Building Code Act, Bill 112; second reading and committee of the whole House, if necessary, and third reading of parking offences, Bill 25; and second reading of the London-Middlesex bill, Bill 75.

On Tuesday, October 20, we'll continue with second reading of Bill 75.

On Wednesday, October 21, we will have committee of the whole House consideration of Bill 40, the Ontario Labour Relations Act.

On the morning of October 22, during private members' public business, we will deal with ballot item 25 standing in the name of Mr Owens and ballot item 26 standing in the name of Mrs O'Neill.

On Thursday afternoon, we'll continue with committee of the whole House consideration of Bill 40, the Ontario Labour Relations Act amendments.

The Speaker (Hon David Warner): Pursuant to standing order 34, a motion that this House do now adjourn is deemed to have been made.

Pursuant to standing order 33(a), the member for Burlington South filed dissatisfaction with a response to his question asked of the Minister of Community and Social Services, and the member for Leeds-Grenville filed his dissatisfaction with the response to a question he posed of the Solicitor General. I recognize first the member for Burlington South, who has up to five minutes, and the Minister of Community and Social Services has up to five minutes for her response.

CHILDREN'S SERVICES

Mr Cameron Jackson (Burlington South): Unfortunately, in the seven and a half years I've been in this House, I've had occasion only a few times to bring one of these late shows. It flows from the question and the response I got from the Minister of Community and Social Services about her complete lack of awareness. I'm enti-

tled to my opinion that it's a complete lack of sensitivity, and that's an opinion, but the facts are that she came to the House today completely unaware of how serious the crisis is facing children's aid societies in our province.

I attempted, during the course of question period, to share with her documentation which is available within her ministry. She chose, not only on the occasion of estimates hearings two days ago but also the occasion of being in the House, in the presence of all members, to suggest that these figures were not accurate. I take those matters very seriously.

It's very clear that our children's aid societies are on the front burner of this government's funding cuts and the children they serve are the least on its list of priorities, and I'm quite distressed at this growing trend.

I want to quote briefly from this government's first throne speech. At that time they were still parading around as social democrats. They indicated that they were going to be more supportive of communities' needs and special needs of vulnerable people, and they said that in doing so, "We recognize that saying yes to their concerns will mean saying no to others whose claims are presented more loudly," and "These decisions will not be easy ones to make."

In the two years this government's been at the helm, children's aid societies have suffered badly. I remind the members of this House, as I did earlier today, that these are provincial laws governing the welfare and the safety and security of children in our province. These laws are provincial laws. Therefore, the Minister of Community and Social Services is the single most important individual responsible for making sure that the law is upheld and that those children are protected.

But what do we get from that minister? We get today, as we have on the previous occasion of estimates, her mouthing some reference to cooperative efforts to look at better ways to meet the challenge of these economic times.

I want to let the members of this House know that the problems facing children's aid societies are serious ones and that this government is burying its head in the sand.

In particular, the minister and her staff brought to estimates and to this House the fact that some 56 personnel had been laid off by children's aid societies in this province; that document was October 13, earlier this week. I presented a document in this House from the Ontario Association of Children's Aid Societies which clearly showed that, as of July 31, over 132 individuals had been laid off at children's aid societies, and that not hundreds but thousands of children in this province are not getting access to the treatment that clearly the law says they must have to be protected.

We are talking about children who are being sexually abused and physically abused at home. There are dramatic increases in my region of Halton: In 18 months we've seen an 82% increase in the number of children who are physically and sexually abused. This government responds with a 0.5% increase, and it has the audacity to blame Brian Mulroney for a 5% cap on the Canada assistance plan. At least he gave 5%. You're giving 0.5% to children's aid societies.

So what has happened? A not surprising deficit after deficit after deficit in children's aid societies all across Ontario. The minister's own riding of London: a \$1-million deficit. In communities like Halton, \$1.3 million; Hamilton, \$1.6 million; Metro Toronto, \$1.7 million, and it just received correspondence from the minister saying that its last year's \$1-million deficit will not be picked up.

More cuts to children are coming as a result of this government's decision. Can they find the money? Yes, Mr Speaker, in the short time I have left. They had \$500,000 to renovate some executive suites at Hydro. The children's aid society could have used that. They had \$15 million for the symbolic gesture of bilingual road signs, but they could have given that money to children's aid societies.

That's my point, that's why there's a late show, and I wish the minister was here today to hear these comments.

The Speaker (Hon David Warner): The member's time has expired. The Minister of Community and Social Services not being present in the chamber, I will now recognize the member for Leeds-Grenville, who has up to five minutes to present his arguments.

1810

POLICE SERVICES

Mr Robert W. Runciman (Leeds-Grenville): I want at the outset to acknowledge the presence of the Solicitor General and thank him for appearing here, unlike the Minister of Community and Social Services.

I raised a question in the House earlier today about rumours—and I certainly identified them as rumours—that were circulating among the policing community in respect to the possibility of plans within this government, within the Ministry of the Solicitor General and within the Metropolitan Toronto Police Services Board in terms of a contemplated response to the work action of Metro police officers who are not wearing their hats and not wearing badges—and are certainly in no way, shape or form, in my view, jeopardizing public safety.

But the rumours that were circulating dealt with contingencies, if you will, to respond to a decision that will be taken by the police association this Sunday following a general meeting on whether to continue with their job action, escalate it or to go back to work. All they're looking for is a meeting, simply a meeting, with the Solicitor General and the Premier to discuss the regulatory changes this government has imposed upon them, but up to this point they have been unable to reach an agreement with the government to sit down and talk to them about their concerns, very legitimate and valid concerns.

The rumours of course deal with the fact that the government is prepared to bring in the OPP, the RCMP and the military to police Metro Toronto and in effect lock out officers, because of its concern about what we refer to as the blue flu, that a great many officers are simply going to book off work and the only way the government can respond to this is to bring in the military, the RCMP and the OPP.

Backing up some of these rumours was the fact that senior officers were advised and the OPP have been told that all leaves and vacations have been cancelled indefi-

nitely. We were also advised that the meeting scheduled for this evening with the Ontario Provincial Police Association was put on hold, and individuals who were expecting to attend were told to be prepared to attend on a minute's notice, if you will.

Those are the kinds of concerns that came to me at the last minute. We're going to break for the weekend. These kinds of decisions could be taken while the House is not sitting, so I felt it was important to raise the issue with the minister while he was here before we took the break for the weekend. His response was simply, "No accuracy, no truth to that at all."

I felt, as those concerns were so widespread within the police community, and within the media as well, I might point out, that we were owed, the people of this province were owed, certainly the police of this province, specifically Metro Toronto police, were owed and the citizens of Metro were owed a full and complete response in respect to this concern that's now circulating.

There's a great deal of frustration out there among police officers across this province, but especially in Metro Toronto because they've had to bear the brunt of this government's treatment of police in a negative sense. We've seen the appointment of Susan Eng as the chairperson of the Metropolitan Toronto Police Services Board. Her approach to policing has not been very supportive.

We've seen the Attorney General intervene in the Brian Rapson case, where a preliminary inquiry said there was no reason to proceed. The Attorney General under political pressure intervened with a preferred indictment, with a charge of manslaughter against this constable. He was subsequently found not guilty, but the pressure this government placed on that man and his family certainly sent out a clear signal about this government's priorities and where it's coming from.

Then we saw Constable Robert Rice involved in a shooting while he was chasing a suspected drug dealer through an alley; stopped this man and, confronted with a knife, drew his revolver and this man was shot down. It was later found out that he was not only carrying the knife, he was carrying three phoney IDs and was an illegal immigrant.

Yet we had a very quick meeting with vocal anti-police interest groups. The Premier was prepared to meet them on a weekend, and came out of that meeting and made very derogatory comments about policemen and policewomen in general, said there's a disturbing pattern of violence against blacks. No proof whatsoever; in fact, it's dead wrong, a smear against all police officers in Metropolitan Toronto. The facts are that there were 59 police shootings between January 1980 and May 1992; 12 blacks were shot by police and 47 whites. That's the sort of thing the Premier of this province was doing.

Later, the parliamentary assistant to the Premier came out and said at a public forum, "Police can identify us when they want to shoot us" or people in this province. Again, the police were very much concerned, and what did the Premier do when I raised that issue in the House? He got up and defended his parliamentary assistant for those comments; no apology to the policemen and policewomen

who are out there on the line defending and protecting all of us on a daily basis.

The Speaker (Hon David Warner): The Solicitor General has up to five minutes for his response.

Hon Allan Pilkey (Solicitor General): The member for Leeds-Grenville raised certain questions and assertions this afternoon. I believed that they deserved no better than a very brief answer, so I gave him a very brief answer.

I wish I could say I was happy to be at this late show after being compelled to be here by the member for Leeds-Grenville, but unfortunately I cannot say I'm happy to be here, because I am now late for another meeting which the member opposite insinuated was cancelled.

In the member's question earlier today he made three assertions. I'd like to deal quickly with each one of them.

The member stated that as of today all OPP senior staff had their vacations cancelled. The member is totally and completely wrong. I have been assured by the Ontario Provincial Police that this is absolutely false.

Secondly, the member stated that a meeting this evening with the OPP union had been put on hold. Once

again, the member is totally and completely wrong. The members of the OPP union are probably sitting in my boardroom as we speak, waiting for me to arrive for the meeting.

Thirdly, the member stated that the government is prepared to lock out Metropolitan Toronto Police officers. This time, the member is not only totally and completely wrong; he is also totally and completely out to lunch. This is an absurd assertion. I question that member's judgement that he would repeat such a statement, if in fact he didn't make it up himself.

My answer today in the House was totally accurate. The information that the member opposite had was not correct when he asked the question and it isn't correct now. I must cut my statement short, however, because, contrary to the statement by the member opposite, I have a meeting with the officials of the OPP in my office.

The Speaker: There being no further matters to be debated, this House stands adjourned until 1:30 of the clock Monday next.

The House adjourned at 1817.

**LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor/Lieutenant-gouverneur: Lt Col The Hon/L'hon Henry N. R. Jackman CM, KStJ, BA, LLB, LLD

Speaker/Président: Hon/L'hon David Warner

Clerk/Greffier: Claude L. DesRosiers

Clerk Assistant and Clerk of Committees/Greffier adjoint et Greffier des comités: Smirle Forsyth

Clerk Assistant and Clerk of Journals/Greffier adjoint et Greffier des journaux: Alex D. McFedries

Sergeant at Arms/Sergent d'armes: Thomas Stelling

Constituency	Name of member	Party	Other responsibilities
Algoma	Wildman, Hon/L'hon Bud	ND	Minister of Natural Resources, minister responsible for native affairs/ministre des Richesses naturelles, ministre délégué aux Affaires autochtones
Algoma-Manitoulin	Brown, Michael A.	L	Chair, standing committee on general government/ Président du Comité permanent des affaires gouvernementales
Beaches-Woodbine	Lankin, Hon/L'hon Frances	ND	Minister of Health, minister responsible for the substance abuse strategy/ministre de la Santé, ministre responsable de la Stratégie de prévention de la toxicomanie
Brampton North/-Nord	McClelland, Carman	L	Vice-Chair, standing committee on general government/ Vice-Président du Comité permanent des affaires gouvernementales
Brampton South/-Sud	Callahan, Robert V.	L	
Brant-Haldimand	Eddy, Ron	L	
Brantford	Ward, Brad	ND	parliamentary assistant to Minister of Industry, Trade and Technology/adjoint parlementaire du ministre de l'Industrie, du Commerce et de la Technologie
Bruce	Elston, Murray J.	L	opposition House leader/ chef parlementaire de l'opposition
Burlington South/-Sud	Jackson, Cameron	PC	Chair, standing committee on estimates/ Président du Comité permanent des budgets des dépenses
Cambridge	Farnan, Mike	ND	Vice-Chair, standing committee on the Legislative Assembly/ Vice-Président du Comité permanent de l'Assemblée législative
Carleton	Sterling, Norman W.	PC	
Carleton East/-Est	Morin, Gilles E.	L	Deputy Speaker and Chair of the Committee of the Whole House/ Vice-Président et Président du Comité plénier de l'Assemblée législative
Chatham-Kent	Hope, Randy R.	ND	parliamentary assistant to Minister of Community and Social Services/adjoint parlementaire du ministre des Services sociaux et communautaires
Cochrane North/-Nord	Wood, Len	ND	parliamentary assistant to Minister of Natural Resources/ adjoint parlementaire du ministre des Richesses naturelles
Cochrane South/-Sud	Bisson, Gilles	ND	parliamentary assistant to Minister of Northern Development and Mines, parliamentary assistant to minister responsible for francophone affairs/adjoint parlementaire de la ministre du Développement du Nord et des Mines, adjoint parlementaire du ministre délégué aux Affaires francophones
Cornwall	Cleary, John C.	L	
Don Mills	Ward, Margery	ND	parliamentary assistant to Minister of Government Services/ adjointe parlementaire du ministre des Services gouvernementaux
Dovercourt	Silipo, Hon/L'hon Tony	ND	Minister of Education/ministre de l'Éducation
Downsview	Perruzza, Anthony	ND	parliamentary assistant to minister responsible for the greater Toronto area/adjoint parlementaire de la ministre responsable du Bureau de la région du grand Toronto
Dufferin-Peel	Tilson, David	PC	
Durham Centre/-Centre	White, Drummond	ND	Chair, standing committee on regulations and private bills/ Président du Comité permanent des règlements et des projets de loi privés
Durham East/-Est	Mills, Gord	ND	parliamentary assistant to Minister of Municipal Affairs/ adjoint parlementaire du ministre des Affaires municipales
Durham West/-Ouest	Wiseman, Jim	ND	parliamentary assistant to Minister of Revenue/ adjoint parlementaire de la ministre du Revenu
Durham-York	O'Connor, Lawrence	ND	parliamentary assistant to minister responsible for the substance abuse strategy/adjoint parlementaire de la ministre responsable de la Stratégie de prévention de la toxicomanie
Eglinton	Poole, Dianne	L	
Elgin	North, Hon/L'hon Peter	ND	Minister of Tourism and Recreation/ ministre du Tourisme et des Loisirs
Essex-Kent	Hayes, Pat	ND	parliamentary assistant to Minister of Agriculture and Food/ adjoint parlementaire du ministre de l'Agriculture et de l'Alimentation
Essex South/-Sud	Mancini, Remo	L	Chair, standing committee on public accounts/ Président du Comité permanent des comptes publics

Constituency	Name of member	Party	Other responsibilities
Etobicoke-Lakeshore	Grier, Hon/L'hon Ruth A.	ND	Minister of the Environment, minister responsible for the greater Toronto area/ministre de l'Environnement, ministre responsable du Bureau de la région du grand Toronto
Etobicoke-Humber	Henderson, D. James	L	
Etobicoke-Rexdale	Philip, Hon/L'hon Ed	ND	Minister of Industry, Trade and Technology/ ministre de l'Industrie, du Commerce et de la Technologie
Etobicoke West/-Ouest	Stockwell, Chris	PC	
Fort William	McLeod, Lyn	L	Leader of the Opposition/chef de l'opposition
Fort York	Marchese, Rosario	ND	parliamentary assistant to the Premier, parliamentary assistant to Minister of Intergovernmental Affairs/adjoint parlementaire du premier ministre, adjoint parlementaire du ministre des Affaires intergouvernementales
Frontenac-Addington	Wilson, Hon/L'hon Fred	ND	Minister of Government Services/ ministre des Services gouvernementaux
Grey	Murdoch, Bill	PC	
Guelph	Fletcher, Derek	ND	parliamentary assistant to Minister of Consumer and Commercial Relations/adjoint parlementaire de la ministre de la Consommation et du Commerce
Halton Centre/-Centre	Sullivan, Barbara	L	
Halton North/-Nord	Duignan, Noel	ND	Chair, standing committee on the Legislative Assembly/ Président du Comité permanent de l'Assemblée législative
Hamilton Centre/-Centre	Christopherson, Hon/L'hon David	ND	Minister of Correctional Services/ministre des Services correctionnels
Hamilton East/-Est	Mackenzie, Hon/L'hon Bob	ND	Minister of Labour/ministre du Travail
Hamilton Mountain	Charlton, Hon/L'hon Brian	ND	Minister of Financial Institutions, Minister of Energy/ ministre des Institutions financières, ministre de l'Énergie
Hamilton West/-Ouest	Allen, Hon/L'hon Richard	ND	Minister of Colleges and Universities, Minister of Skills Development/ministre des Collèges et Universités, ministre de la Formation professionnelle
Hastings-Peterborough	Buchanan, Hon/L'hon Elmer	ND	Minister of Agriculture and Food/ ministre de l'Agriculture et de l'Alimentation
High Park-Swansea	Ziemba, Hon/L'hon Elaine	ND	Minister of Citizenship, minister responsible for human rights, disability issues, seniors' issues and race relations/ministre des Affaires civiques, ministre déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales
Huron	Klopp, Paul	ND	parliamentary assistant to Minister of Agriculture and Food/ adjoint parlementaire du ministre de l'Agriculture et de l'Alimentation
Kenora	Miclash, Frank	L	opposition deputy whip/whip adjoint de l'opposition
Kingston and The Islands/ Kingston et Les Îles	Wilson, Gary	ND	parliamentary assistant to Minister for Skills Development/ adjoint parlementaire du ministre de la Formation professionnelle
Kitchener	Ferguson, Will	ND	parliamentary assistant to Minister of Transportation/ adjoint parlementaire du ministre des Transports
Kitchener-Wilmot	Cooper, Mike	ND	parliamentary assistant to the Solicitor General; deputy government whip; Chair, standing committee on administration of justice/ adjoint parlementaire du Solliciteur général, whip adjoint du gouvernement, Président du Comité permanent de l'administration de la justice
Lake Nipigon/Lac-Nipigon	Pouliot, Hon/L'hon Gilles	ND	Minister of Transportation, minister responsible for francophone affairs/ministre des Transports, ministre délégué aux Affaires francophones
Lambton	MacKinnon, Ellen	ND	Vice-Chair, standing committee on regulations and private bills/ Vice-Présidente du Comité permanent des règlements et des projets de loi privés
Lanark-Renfrew	Jordan, W. Leo	PC	
Lawrence	Cordiano, Joseph	L	Vice-Chair, standing committee on public accounts/ Vice-Président du Comité permanent des comptes publics
Leeds-Grenville	Runciman, Robert W.	PC	Chair, standing committee on government agencies/ Président du Comité permanent des organismes gouvernementaux
Lincoln	Hansen, Ron	ND	Chair, standing committee on finance and economic affairs/ Président du Comité permanent des finances et des affaires économiques
London Centre/-Centre	Boyd, Hon/L'hon Marion	ND	Minister of Community and Social Services, minister responsible for women's issues/ministre des Services sociaux et communautaires, ministre déléguée à la Condition féminine
London North/-Nord	Cunningham, Dianne	PC	Progressive Conservative chief whip/ whip en chef du Parti progressiste-conservateur
London South/-Sud	Winninger, David	ND	parliamentary assistant to the Attorney General, parliamentary assistant to minister responsible for native affairs/ adjoint parlementaire du Procureur général, adjoint parlementaire du ministre délégué aux Affaires autochtones

Constituency	Name of member	Party	Other responsibilities
Markham	Cousens, W. Donald	PC	Progressive Conservative deputy House leader/ chef parlementaire adjoint du Parti progressiste-conservateur parliamentary assistant to Minister of the Environment/ adjointe parlementaire de la ministre de l'Environnement
Middlesex	Mathysen, Irene	ND	
Mississauga East/-Est	Sola, John	L	
Mississauga North/-Nord	Offer, Steven	L	Vice-Chair, standing committee on estimates/ Vice-Présidente du Comité permanent des budgets des dépenses
Mississauga South/-Sud	Marland, Margaret	PC	
Mississauga West/-Ouest	Mahoney, Steven W.	L	
Muskoka-Georgian Bay	Waters, Daniel	ND	opposition chief whip/whip en chef de l'opposition parliamentary assistant to Minister of Tourism and Recreation/ adjoint parlementaire du ministre du Tourisme et des Loisirs
Nepean	Daigeler, Hans	L	Vice-Chair, standing committee on social development/ Vice-Président du Comité permanent des affaires sociales
Niagara Falls	Harrington, Margaret H.	ND	parliamentary assistant to Minister of Housing/ adjointe parlementaire de la ministre du Logement
Niagara South/-Sud	Coppen, Hon/L'hon Shirley	ND	Minister without Portfolio, chief government whip/ ministre sans portefeuille, whip en chef du gouvernement
Nickel Belt	Laughren, Hon/L'hon Floyd	ND	Deputy Premier, Treasurer of Ontario and Minister of Economics/ vice-premier ministre, Trésorier de l'Ontario et ministre de l'Économie
Nipissing	Harris, Michael	PC	leader of the Progressive Conservative Party/ chef du Parti progressiste-conservateur
Norfolk	Jamison, Norm	ND	parliamentary assistant to Minister of Industry, Trade and Technology/du ministre de l'Industrie, du Commerce et de la Technologie
Northumberland	Fawcett, Joan M.	L	Solicitor General/Solliciteur général Minister of Housing/ministre du Logement
Oakville South/-Sud	Carr, Gary	PC	
Oakwood	Rizzo, Tony	ND	
Oriole	Caplan, Elinor	L	
Oshawa	Pilkey, Hon/L'hon Allan	ND	
Ottawa Centre/-Centre	Gigantes, Hon/L'hon Evelyn	ND	
Ottawa East/-Est	Grandmaître, Bernard C.	L	
Ottawa-Rideau	O'Neill, Yvonne	L	
Ottawa South/-Sud	McGuinty, Dalton J.P.	L	
Ottawa West/-Ouest	Chiarelli, Robert	L	
Oxford	Sutherland, Kimble	ND	
Parkdale	Ruprecht, Tony	L	parliamentary assistant to Minister of Colleges and Universities; Vice-Chair, standing committee on finance and economic affairs/ Vice-Président du Comité permanent des finances et des affaires économiques, adjoint parlementaire du ministre des Collèges et Universités
Parry Sound	Eves, Ernie	PC	
Perth	Haslam, Hon/L'hon Karen	ND	
Peterborough	Carter, Jenny	ND	Minister of Culture and Communications/ ministre de la Culture et des Communications
Port Arthur	Wark-Martyn, Hon/L'hon Shelley	ND	parliamentary assistant to Minister of Citizenship/ adjointe parlementaire de la ministre des Affaires civiles
Prescott and Russell/ Prescott et Russell	Poirier, Jean	L	Minister of Revenue/ministre du Revenu
Prince Edward-Lennox-South Hastings/ Prince-Edward- Lennox-Hastings-Sud	Johnson, Paul R.	ND	Minister of Revenue/ministre du Revenu
Quinte	O'Neil, Hugh P.	L	parliamentary assistant to the Treasurer of Ontario and Minister of Economics/adjoint parlementaire du Trésorier de l'Ontario et du ministre de l'Économie
Rainy River	Hampton, Hon/L'hon Howard	ND	Attorney General/Procureur général Deputy Leader of the Opposition/chef adjoint de l'opposition
Renfrew North/-Nord	Conway, Sean G.	L	
Riverdale	Churley, Hon/L'hon Marilyn	ND	
S-D-G & East Grenville/ S.-D.-G. & Grenville-Est	Villeneuve, Noble	PC	Minister of Consumer and Commercial Relations/ ministre de la Consommation et du Commerce
St Andrew-St Patrick	Akande, Zanana	ND	Second Deputy Chair of the Committee of the Whole House/ Deuxième Vice-Président du Comité plénier de l'Assemblée législative
St Catharines	Bradley, James J.	L	parliamentary assistant to the Premier/adjoint parlementaire du premier ministre
St. Catharines-Brock	Haeck, Christel	ND	opposition deputy House leader/chef parlementaire de l'opposition
St. George-St. David	Vacant		government whip; Vice-Chair, standing committee on the Ombudsman/ whip du gouvernement, Vice-Présidente du Comité permanent de l'ombudsman

Constituency	Name of member	Party	Other responsibilities
Sarnia	Huget, Bob	ND	parliamentary assistant to Minister of Energy; Vice-Chair, standing committee on resources development/ adjoint parlementaire du ministre de l'Énergie, Vice-Président du Comité permanent du développement des ressources
Sault Ste Marie/ Sault-Sainte-Marie	Martin, Tony	ND	parliamentary assistant to Minister of Education/ adjoint parlementaire du ministre de l'Éducation
Scarborough-Agincourt	Phillips, Gerry	L	
Scarborough Centre/-Centre	Owens, Stephen	ND	parliamentary assistant to Minister of Financial Institutions/ adjoint parlementaire du ministre des Institutions financières
Scarborough East/-Est	Frankford, Robert	ND	
Scarborough-Ellesmere	Warner, Hon/L'hon David	ND	Speaker/Président
Scarborough North/-Nord	Curling, Alvin	L	opposition deputy whip/whip adjoint de l'opposition
Scarborough West/-Ouest	Swarbrick, Anne	ND	
Simcoe Centre/-Centre	Wessinger, Paul	ND	parliamentary assistant to Minister of Health/ adjoint parlementaire de la ministre de la Santé
Simcoe East/-Est	McLean, Allan K.	PC	Vice-Chair, standing committee on government agencies/ Vice-Président du Comité permanent des organismes gouvernementaux
Simcoe West/-Ouest	Wilson, Jim	PC	
Sudbury	Murdock, Sharon	ND	parliamentary assistant to Minister of Labour/ adjointe parlementaire du ministre du Travail
Sudbury East/-Est	Martel, Hon/L'hon Shelley	ND	Minister of Northern Development and Mines/ ministre du Développement du Nord et des Mines
Timiskaming	Ramsay, David	L	
Victoria-Haliburton	Drainville, Dennis	ND	First Deputy Chair of the Committee of the Whole House/ Premier Vice-Président du Comité plénier de l'Assemblée législative
Waterloo North/-Nord	Witmer, Elizabeth	PC	
Welland-Thorold	Kormos, Peter	ND	Chair, standing committee on resources development/ Président du Comité permanent du développement des ressources
Wellington	Arnott, Ted	PC	
Wentworth East/-Est	Morrow, Mark	ND	Chair, standing committee on the Ombudsman; Vice-Chair, standing committee on administration of justice/ Président du Comité permanent de l'ombudsman, Vice-Président du Comité permanent de l'administration de la justice
Wentworth North/-Nord	Abel, Donald	ND	government whip/whip du gouvernement
Willowdale	Harnick, Charles	PC	
Wilson Heights	Kwinter, Monte	L	
Windsor-Riverside	Cooke, Hon/L'hon David	ND	Minister of Municipal Affairs, Chair of the Management Board of Cabinet and government House leader/ministre des Affaires municipales, président du Conseil de gestion du gouvernement, et chef parlementaire du gouvernement
Windsor-Sandwich	Dadamo, George	ND	parliamentary assistant to Minister of Culture and Communications/ adjoint parlementaire de la ministre de la Culture et des Communications
Windsor-Walkerville	Lessard, Wayne	ND	parliamentary assistant to Chair of the Management Board of Cabinet/adjoint parlementaire du président du Conseil de gestion du gouvernement
York Centre/-Centre	Sorbara, Gregory S.	L	
York East/-Est	Malkowski, Gary	ND	parliamentary assistant to Minister of Citizenship/ adjoint parlementaire de la ministre des Affaires civiques
York Mills	Turnbull, David	PC	Progressive Conservative whip/whip du Parti progressiste- conservateur
York North/-Nord	Beer, Charles	L	Chair, standing committee on social development/ Président du Comité permanent des affaires sociales
York South/-Sud	Rae, Hon/L'hon Bob	ND	Premier, President of the Executive Council, Minister of Intergovernmental Affairs/premier ministre, président du Conseil des ministres, ministre des Affaires gouvernementales
Yorkview	Mammoliti, George	ND	parliamentary assistant to Minister of Correctional Services/ adjoint parlementaire du ministre des Services correctionnels

COMMITTEES OF THE LEGISLATIVE ASSEMBLY COMITÉS DE L'ASSEMBLÉE LÉGISLATIVE

STANDING COMMITTEES/COMITÉS PERMANENTS

Administration of justice/Administration de la justice

Chair/Président: Mike Cooper

Vice-Chair/Vice-Président: Mark Morrow

Members/Membres: Zanana Akande, Jenny Carter, Robert Chiarelli, Mike Cooper, Alvin Curling, Charles Harnick, Steven W. Mahoney, Gary Malkowski, Mark Morrow, Robert W. Runciman, Paul Wessinger, David Winninger

Clerk/Greffière: Lisa Freedman

Estimates/Budgets des dépenses

Chair/Président: Cameron Jackson

Vice-Chair/Vice-Présidente: Margaret Marland

Members/Membres: Gilles Bisson, Gary Carr, Ron Eddy, Will Ferguson, Robert Frankford, Wayne Lessard, Lawrence O'Connor, Anthony Perruzza, David Ramsay

Clerk/Greffier: Franco Carrozza

Finance and economic affairs/

Finances et affaires économiques

Chair/Président: Ron Hansen

Vice-Chair/Vice-Président: Kimble Sutherland

Members/Membres: Elinor Caplan, Gary Carr, Norm Jamison, Monte Kwinter, Gerry Phillips, Norman W. Sterling, Brad Ward, Margery Ward, Jim Wiseman

Clerk/Greffier: Todd Decker

General government/Affaires gouvernementales

Chair/Président: Michael A. Brown

Vice-Chair/Vice-Président: Carman McClelland

Members/Membres: Ted Arnott, Will Ferguson, Derek Fletcher, Margaret H. Harrington, Randy R. Hope, George Mammoliti, Rosario Marchese, Bill Murdoch, Dianne Poole, John Sola

Clerk/Greffière: Deborah Deller

Government agencies/Organismes gouvernementaux

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Second Session, 35th Parliament

Official Report of Debates (Hansard)

Monday 19 October 1992

Assemblée législative de l'Ontario

Deuxième session, 35^e législature

Journal des débats (Hansard)

Lundi 19 octobre 1992



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 19 October 1992

The House met at 1332.

Prayers.

MEMBERS' STATEMENTS

SCHOOL ACCOMMODATION

Mr Hans Daigeler (Nepean): Today is October 19, a full six months behind the usual time for the government's announcements on new school construction. It's outrageous how the NDP has gotten away, so far, with very little public criticism of this appalling lack of action.

What's the holdup, Minister? Be upfront with the people of Ontario. If you can't come up with the money for new schools, at least have the guts to say so. All you've done so far is tell people to wait and wait and wait for an announcement.

In May we waited patiently for a word from you, and nothing came. In June you said we would know by July. In September you said we would know by October 1. Now it's three weeks later and there's still no peep out of your ministry.

Minister, will you build the new schools for the high-growth areas of the province or won't you? It's time for you and your NDP cabinet colleagues to come clean with the people of Ontario. This is an issue of vital importance for the students of this province. How can the school boards in my area and elsewhere plan buildings if they don't know what you will approve or not?

Trustees and administrators all across the province are getting very restless at this constant foot-dragging by the Rae government. If you need any political advice from your new NDP top civil servant, David Agnew, it should be this: Get on with the job of capital announcements for new schools.

ST JAMES SCHOOL

Mr Gary Carr (Oakville South): St James school is a community school with a 35-year history of being a genuine focal point for extensive service to the population it serves. It has provided the students with quality education and the community with a focus for its development. It serves approximately 20 different first- or second-generation ethnic groups and is the most heavily used elementary facility in the region of Halton's Catholic school system. Many heritage-language programs run by the community are available at St James. It is also the first place of consideration for the many ethnic festivals which are held throughout the year.

It is now over a year since I accompanied representatives of the separate school board to a meeting with the former Minister of Education and presented her with a brief explaining the necessity of capital funding for St James school in Oakville. I presented a petition to the Lieutenant Governor on the same day as the meeting containing the names of 1,000 supporters—parents, trustees and educators.

Despite phone requests and letters during the year since this meeting, neither the school board nor I have had a response from the ministry. You are simply ignoring the question, and this is totally unacceptable to both the people of my riding and to me as their member of Parliament. I say to the Minister of Education: Please let the people of Oakville know when they will receive the capital funding for St James school.

FAETHORNE PLACE HOUSING COOPERATIVE

Mr Bob Huget (Sarnia): I was pleased to participate in the ground-breaking for the Faethorne Place Housing Cooperative in Sarnia last Friday afternoon, an appropriate event considering it was Cooperative Housing Week in the province of Ontario.

The true spirit of cooperation has been a key element in this project. There are many players who have come together to get this project off the ground. Because of their efforts, 60 units will be made available to residents of Sarnia-Lambton.

Faethorne Place Housing Cooperative is a non-profit corporation established by local community volunteers to help address the need for assisted housing in Sarnia and the immediate vicinity. Being non-profit in nature, this cooperative is accessible: accessible in the fact that it breaks down barriers to people with lower incomes who wish better housing and, most importantly, it is accessible in that membership is open to all people.

As well, on September 21 of this year I had the pleasure of announcing annual supportive housing funding for the Ontario March of Dimes in Sarnia. The March of Dimes will also be a participant in the Faethorne Place Housing Cooperative. They will provide supportive care for some of the cooperative's residents in barrier-free units, a result of cooperation between the ministries of Housing, Community and Social Services and Citizenship.

This Sarnia project is a fine example of the government working in partnership with dedicated groups in our community to help improve the quality of life for our citizens. I congratulate the board of Faethorne Place Housing Cooperative and all those who have participated in this project.

CONSTITUTIONAL AGREEMENT

Mr Robert Chiarelli (Ottawa West): For undecided voters on the referendum question, I urge you to think of Premier Joe Ghiz's words, "The prophet of the perfect is the enemy of the good." Having so many different governments and groups agree on a package in a diverse country like ours is in itself a tremendous achievement worthy of our support.

Remember that a meticulous and demanding constitutional lawyer such as Premier Clyde Wells and former justices of the Supreme Court of Canada endorse the new accord. They know every Constitution represents compromise. Even Pierre Trudeau had to hold his nose for the

patriation and a charter deal in 1982. When Trudeau recently announced his support for the No side, he admitted his "notwithstanding" clause was an unwanted and dangerous section. In other words, if Trudeau had insisted on the perfect deal in 1982, there would have been no deal, no Charter of Rights and no patriation.

Constitutions will always be imperfect and be subject to interpretation and court cases. Our present Constitution has been subject to thousands of court interpretations in our 125-year history.

Yes, the Charlottetown accord is not perfect, but remember Joe Ghiz's words, "The prophet of the perfect is the enemy of the good."

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SPECIAL SERVICES AT HOME PROGRAM

Mr Ted Arnott (Wellington): The Ministry of Community and Social Services has for several years administered the special services at home program. This program has assisted the families of disabled or developmentally handicapped children by providing a contract worker trained in speech, occupational or physiotherapy who comes into the home and works on a one-to-one basis with children, some of them suffering from Down syndrome, severe epilepsy and uncontrollable seizure disorders. This is the type of necessary program that the NDP in opposition would have stridently supported.

However, in government the NDP has callously cut these services to families in Wellington who need them: Theresa and Earl Campbell and their daughter, Tannis, of Maryborough township, four hours a week cut to zero; Mrs Janice Goll and her daughter, Sarah, of Erin Township, 10 hours a week cut to six; John and Barbara Perkins and their daughter, Becky, of Hillsburgh, 22 hours a week cut to 10; and Jonathon Nymeyer and his mother, Alice, of Drayton, cut from 10 hours a week to zero.

The people of Wellington understand the need for fiscal restraint in tough times, but they also demand that priorities for government programs must make sense.

How can this government spend \$4.5 million on a health survey asking people if they think they are too fat or how often they use condoms and then cut programs for disabled kids and their families? This makes me feel sick.

I can't believe an NDP government would be so uncaring as to cut back essential services for disabled kids and their families. As their representative, I am absolutely livid. It would be sad to see the NDP degenerate from being a party of ideals into a movement of heartless deceivers. If you do not correct this horrible policy of program cuts to disabled kids, that is exactly what you will become.

SCHOOL BUS TRANSPORTATION

Mr Donald Abel (Wentworth North): In February 1992 the Wentworth County Board of Education voted to discontinue school bus transportation to Cambridge secondary schools in Waterloo county. The Waterloo county high school is approximately six kilometres away, while the closest Wentworth high school board is approximately 30 kilometres away. The Wentworth board of education

has decided to bus these students from one to one and a half hours each way to a Wentworth school as opposed to busing them 15 minutes to an out-of-county school.

Dr Murray Scharf, dean of education at the University of Saskatchewan and an expert on rural education, states, "Lengthy bus time can negate the opportunities for students to participate in high school cocurricular activities outside of normal school hours." Most parents would drive their children if they were within 15 to 20 minutes of the school. A round trip of one hour or more almost guarantees that parental permission would not be granted. He also states:

"I am of the opinion that at some point, at or beyond two hours of transportation per day, the academic achievement of high school students is significantly affected. In conclusion, busing beyond a certain point adversely affects achievement."

I would conclude from Mr Scharf's observations that these rural students' academic and extracurricular activities could be jeopardized by the board's decision.

I have had much discussion with parents, trustees and ministry staff. The busing decision has caused great concern for many parents and students in Sheffield. It is hoped that the soon-to-take-place meeting with the Minister of Education will help resolve this most distressful situation in an expeditious and amiable manner.

ECONOMIC DEVELOPMENT IN MISSISSAUGA

Mr Steven W. Mahoney (Mississauga West): I'd like to inform members and, in the same way, congratulate the city of Mississauga's economic development office, which won three awards recently at the annual conference of the Economic Developers Association of Canada.

The awards, announced at the Ottawa conference in September, were received for the city of Mississauga's 1991 business directory, for the city's Infotech newsletter and for a print advertisement campaign.

The business directory has been a frequent winner over the years, but the print advertising campaign was a very unique campaign. The ads were targeted at technology-based industries and designed for frequent repetition at reasonable cost.

Since 1987, marketing materials produced by the city of Mississauga's economic development office have won 17 awards in provincial, national and international competitions of economic development professional organizations.

I would like to recognize the efforts of Karen Campbell, the economic development director for the city, and all the members of her department. The excellence of their work is undoubtedly one reason why the city of Mississauga continues to be successful in attracting new business and new investment. Even in these economic times and even facing the uncertainty this provincial government is foisting upon the people with the labour law reforms and many other very negative things, our economic development office is still a success.

LABOUR LEGISLATION

Mrs Elizabeth Witmer (Waterloo North): Committee consideration of Bill 40 will end today despite the fact that there are many amendments which have not yet been debated. The so-called consultation process has been an absolute sham.

I am extremely disappointed that the presentations from the more than 600 groups and individuals that made representation to the committee during this summer are not being given any consideration by this government.

Of the 94 amendments which I have introduced, we have only had time to debate 32. It is absolutely essential that the government allow more time to debate the amendments. To do otherwise is to ignore the genuine concerns of the people who devoted time and effort to preparing presentations which they believed would be given serious consideration.

I was also very surprised that none of the 15 amendments introduced by the Labour critic from the official opposition included an amendment regarding the use of replacement workers, since the September 29th news release issued by the leader of the official opposition stated that the Liberals would be putting forward such an amendment.

This government is trying to pass this bill as quickly as possible while public attention is centred on the referendum debate. There has never been any demonstrated need for this legislation and there is no demonstrated need for its hasty passage other than to try to bury it during the referendum debate.

The government fails to recognize the devastating impact of this bill on the people in this province in its haste to appease its own special-interest groups.

CONSERVATION

Mr Jim Wiseman (Durham West): I rise today to praise the council of the town of Pickering and the Metro Toronto and Region Conservation Authority as they have, after a long struggle, ensured the preservation of an important part of Frenchman's Bay. I was proud to be able to play an integral part myself.

The councillors for this ward have been working diligently for many years in order to achieve this outcome, especially Eileen Higdon, the local councillor, who knows well the importance of the bay as she lives right next to it herself. Her battle to ensure that the town houses that were proposed for this area were not built goes back many years, even prior to her election. She and her regional counterpart, Kip Van Kempen, are pleased, and with good reason.

I can only say that I am gratified to be part of a government that understands the importance of significant wetlands and allows for their protection. The wetlands policy this government put in place was unfortunately not in effect in time to rescue these important eight and one-half hectares, as the initial approvals were in place prior to this government's coming into office. It is wetlands such as these that help to purify our drinking water and allow a haven for many rare and endangered species.

My hat is off to the town of Pickering and to the MTRCA. I hope they continue in their understanding of

the importance of finding creative solutions that will preserve our environment. I look forward to working alongside them in the future. It is only through these types of partnerships that our mutual constituency is well served.

MINISTERIAL INFORMATION

The Speaker (Hon David Warner): On Thursday, October 8, the member for Scarborough-Agincourt, Mr Phillips, raised a point of order with respect to ministerial statements. His concern was that the statement made by the Chair of Management Board in the House did not follow precisely the text of the statement that had been provided pursuant to standing order 32(c).

I refer members to a decision made by Speaker Edighoffer on May 29, 1990, in which he indicated that the Speaker does not receive copies of written statements and is therefore unable to follow along. I would add that, even if the Speaker were required to receive copies of written statements, it would not be her or his responsibility to determine whether a discrepancy is substantial in nature or whether it is an embellishment of no consequence.

While the powers of the Speaker in this regard are circumscribed, surely it is in keeping with the spirit of the standing order that ministers adhere closely to the written text when making statements so as to avoid possible misunderstandings. It may be that on occasion, changing circumstances require that the oral statement differs in some respect from the written statement. In such a situation, I would expect that any minister would wish to advise the House of the departure from the prepared text.

MEMBER'S PRIVILEGE

Mr Steven Offer (Mississauga North): On a point of order, Mr Speaker: Very briefly, you will remember that on Monday, 5 October, I raised a point of order with respect to a point of personal privilege, the right of opposition critics to be in the Legislature and what happens if they are not able to be there for other reasons.

I recognize that as a result of that point, the government House leader, in my case, adjourned the committee hearings for a period of two days. However, I do believe the point still remains. I think it is important that you do rule on that point so that I, as well as all other members in this Legislature, today and tomorrow and for all time will know our rights as opposition critics.

The Speaker (Hon David Warner): I appreciate the point raised by the member. It was my understanding that, first, there had been some accommodation of the situation; second, the committee for the Legislative Assembly has been charged with the responsibility of taking a look at the wider question. But indeed I am pleased to take another look at it myself, if that would be of assistance to the member. I will report back to you later.

1350

ORAL QUESTIONS

BUDGET

Mr Gerry Phillips (Scarborough-Agincourt): My question is to the Treasurer. It has to do with the deficit estimates for this year and a story that appeared in the

Windsor Star on Friday, written by what I guess you would call a crusading reporter.

Treasurer, you know that in your budget you have put an estimate of revenue from the federal government at \$1.2 billion in what's called fiscal stabilization from the federal government. From the day the budget came out, Treasurer, you will know that we in the official opposition have questioned that number and have felt all along that you would only get at best a fraction of the \$1.2 billion.

The report on Friday in the Windsor Star confirms our part of the story, confirms, at least in this report, that the expectations are that you will at best only get a fraction of the \$1.2 billion, and therefore your deficit either will be substantially higher or you'll be required to make substantially larger cuts than you'd planned.

My question to you, Treasurer, is this: When you prepared that \$1.2 billion, knowing that in the other two cases in this country it's taken literally years for that fiscal stabilization payment to be made, knowing that the federal government had not budgeted the \$1.2 billion, what assurances did you have from the federal government that your \$1.2-billion estimate was a fair and reasonable expectation?

Hon Floyd Laughren (Treasurer and Minister of Economics): I did indeed read the article in the Windsor Star. I guess one good tabloid deserves another, because I read in another tabloid on the weekend that the federal government was quoted as saying that we deserved the money and that we would indeed be getting the money. So I'm not sure which side of the argument you want to come down on.

Mr Robert Chiarelli (Ottawa West): You cooked the books.

The Speaker (Hon David Warner): The member for Ottawa West is out of order.

Hon Mr Laughren: I don't think I'll respond to the interjection that this government "cooked the books." When we made our prediction on what our revenues and expenditures would be for 1992-93, we saw no reason to believe we would not receive money from the federal government, based on the fact that there was an obligation on the federal government to pay that. It has been part of the fiscal arrangements with the federal government since, I believe, back to 1967, or certainly a long time ago.

Ontario would not be the first province to have launched a claim—other provinces have done so—and Ontario has been most generous, I think appropriately so, over the years in the sharing of our revenues with other parts of the country. When a recession hits Ontario harder than any other part of the country, it seems to me that we have a right to our fair share and that there was no reason to believe we would not receive that \$1.2 billion as part of our fiscal stabilization claim.

Mr Phillips: You've not answered the question, with all due respect. I said to you, what assurances did you have from the federal government? I know you've put a claim in, but I will say again, there have only been two other claims that have been paid in this country. Both took several years to make, and the full payment was not made.

In my opinion, Treasurer, you've put a number in that you have no reasonable expectation of getting this year. I asked you, what assurances did you have from the federal government that a \$1.2-billion revenue was a reasonable revenue to put in this fiscal year?

Hon Mr Laughren: First of all, there was no reason to expect we would not get it. Second, the member for Scarborough-Agincourt refers to a longer time period than the other two provinces, Alberta and BC, had to wait when they put a fiscal stabilization claim in some years ago. Their claim was based on resource revenues and the dramatic drop in resource revenues. That is not the case with Ontario's predicament. A lot of things have been tidied up in the fiscal arrangements since that time and, to this day, I see no reason why that entire claim cannot be honoured this fiscal year.

Mr Phillips: Treasurer, if I might be as direct with you as I can, the people of Ontario want to know what is a reasonable estimate of the finances. I submit to you that the federal government has never indicated it had any intention of ever paying \$1.2 billion this fiscal year. I would say you have had no assurance from them and I'm trying to get a fair and reasonable answer out of you of what the people of Ontario can expect.

Treasurer, we have asked now four times publicly, starting last December, for the proposal that you sent to the federal government. Will you agree to release that? Will you agree to release any correspondence which indicates the commitment that you've been able to get out of the federal government?

Also, you are going to bring out your financial estimates in another week or two, I gather. They've now had that proposal for almost a year. In your estimates of revenue that are going to come out in the next few days, will you undertake, for the people of Ontario, to give us the most accurate estimate, based on comments and discussion and dialogue with the federal government, of what is a reasonable expectation on the fiscal stabilization? In our opinion, there is not a hope of your getting \$1.2 billion and to continue to put it in there is misleading.

Hon Mr Laughren: I'll be as direct as I can with the member opposite. Certainly, to my knowledge, at no point since that claim was put in with the federal government has anyone in the federal government, from the minister on down, indicated to us that we should abandon all hope of getting a claim this year; at no point.

The minister has indicated that his officials and our officials from Ontario are working assiduously on the numbers. They are very complex and as the revenues are collected the numbers do change so that it's not possible to give you a final set of numbers on what the components were of the fiscal stabilization claim.

But there'd be no reason for us to pretend that we are going to get something we're not going to get. What purpose would that serve? It would simply delay the accounting until the end of year. So we would have nothing to gain by pretending we could get the number, get that claim, if we didn't think that we would actually get it.

LABOUR LEGISLATION

Mr Steven Offer (Mississauga North): I have a question to the Minister of Labour. Mr Minister, you will know that, due to the dictatorial time limits imposed by your government, today happens to be the last day which the legislative committee examining Bill 40, changes to the Labour Relations Act, will have in order to consider any amendments.

Late last week, Mr Minister, your government sprung 26 more amendments to the bill, knowing that there were only 30 minutes left in the committee to deal with the legislation. Unlike other pronouncements we've had on this bill by yourself, Mr Minister, there was no time for the usual fanfare or media blitz.

Minister, what explanation do you have for holding back 26 changes to the labour relations bill until the last day for committee hearings on this legislation?

Hon Bob Mackenzie (Minister of Labour): I'm a little surprised that the member would raise that. I think it's irresponsible for the honourable member to intimate that these are new amendments we're trying to sneak through. The government did not introduce any new amendments to Bill 40. We submitted the legal text for amendments that we announced we were going to submit on October 13.

1400

Mr Offer: In a word, baloney. You sat on these amendments for two weeks. You used the time allocation procedures to limit the amount of time the committee could consider the amendments and then you sprung 26 changes on the committee at the last possible moment.

Mr Minister, your government's own time closure allocation motion says that proposed amendments shall be filed with the clerk of the committee by 4 pm prior to the last day the committee can consider the bill. Minister, just before the 4 pm time period, you dropped 26 changes to the Labour Relations Act. This behaviour is incredibly amazing. It's not surprising, as you have indicated, because you have not seen fit to sit on the committee, to listen to one submission made, to listen to one amendment made to the Labour Relations Act. No one on the committee or in the various communities that are concerned with the bill will have a chance to discuss your changes to the bill because you are forcing the committee to conclude its consideration of the bill today. You didn't inform the affected groups.

Mr Robert Chiarelli (Ottawa West): Smile on camera, Bob. Come on, Mackenzie, smile on camera.

The Speaker (Hon David Warner): The member for Ottawa West, come to order.

Mr Offer: Mr Minister, what explanation do you have for the many groups that have concerns with this legislation, that came before the committee, that want to have an opportunity to respond to the bill and to the amendments? What explanation do you have for shutting out those groups from responding to those changes you made last week?

Mr David Turnbull (York Mills): The explanation is stupidity and pigheadedness.

The Speaker: The member for York Mills, come to order.

Interjections.

Mr Turnbull: We know what kind of answers you've got. You're driving the economy into the ground. This province is doing worse than any other province in Canada.

The Speaker: I ask the member for York Mills to please come to order.

Hon Mr Mackenzie: The member for York Mills does better when he's taking on the member for Mississauga North in the committee. Sharon Murdock, our parliamentary assistant, announced in committee on October 13 that the legal text had not yet been prepared for the replacement worker provisions and the contract tendering provisions. We announced the amendments we were bringing in. Some of these amendments are also the French-language technical corrections and other technical amendments, and they were brought in before the deadline. But the members of the committee knew exactly what we were moving and bringing in well before that.

Mr Offer: It is absolutely incredible that a minister who didn't sit on the committee for one moment would give a response like that. Mr Minister, these hearings have been a sham from day one. You have turned your back on those many groups that came before the committee with concerns. The changes you dropped last week will not only not allow those groups to read them; they will not even allow them to analyse and discuss what the impact of those changes will be. Today you are telling those groups and those many individuals who have very deep concerns about the bill to trust you. Nobody does. They don't believe you and they don't like the process you've instituted and stage-managed.

Mr Minister, you now have the opportunity to stand up in this Legislature and say to everyone in this chamber and to those watching that you will call on your government House leader to give two more days to the committee to discuss those changes, to deal with the impact and to listen to the groups. Mr Minister, are you in favour of this committee extending its hearings for two days in order to deal with those changes?

Hon Mr Mackenzie: As far as timing is concerned, we have adhered to the required deadlines. There's been ample opportunity for debate. The amendments the member is talking about were not new amendments. He knew exactly what was coming a week and a half before that, and I think the committee has had ample time to deal with the issue.

The Speaker: New question, the third party.

Mrs Elizabeth Witmer (Waterloo North): I would like to pursue the question concerning Bill 40. I find it interesting that the official opposition is questioning the minister on the lack of input and amendments on the replacement worker section when the official opposition itself hasn't tabled any amendments on that particular amendment.

However, Mr Mackenzie, the question I have for you is this: Why have you not allowed sufficient time for the opposition to discuss all of the concerns that were presented this summer by over 600 presenters, presentations that were made in oral and written form? The time line that has been given by this government is simply inappropriate. Why do we not have time?

Hon Mr Mackenzie: I find it interesting that a process that's already gone on for better than a year and a half is now said to be inadequate. I find it also interesting that when this minister and his staff have talked to more than 320 groups—and I think there were some 220 that appeared before the committee—we should now be told that the process has not been adequate. I reject the argument being made by the honourable member.

Mrs Witmer: The minister may have received submissions but he certainly didn't consider the submissions, and I'd like to zero in on one area.

This summer, the retailers in this province came before the committee and told you about the problems that picketing on third-party property would create. You know that the retail sector represents over \$30 billion in annual sales. They employ over 500,000 people. That's about 12% of the total people in this province who are employed. As you know, they have been badly hurt by the recession, cross-border shopping and a record low level of consumer confidence. They are hurting. In fact, in the first three months of this year alone, about 3,000 retail jobs were lost. We need to regain the confidence of consumers if we're going to achieve economic recovery, but I can assure you, Mr Minister, that consumers are not going to shop in any environment where there's picketing.

The Speaker: Does the member have a question?

Mrs Witmer: Your legislation is going to impact on business people. Will you introduce an amendment to remove section 12 from Bill 40?

Hon Mr Mackenzie: I think the member knows, if she has studied the legislation at all, that the intent doesn't allow picketing at the entrance or exit to a shopping mall. The legislation says clearly that the only picketing that can be conducted is at the actual entrance or exit of the individual unit that might be under an organizing drive, and it certainly doesn't disrupt the activities of most shoppers in that mall at all.

Mrs Witmer: Mr Minister, that does not answer the concern of the retail community, because not only was it unhappy with the original section, but you've made it even worse.

Two weeks ago, you tabled an amendment to section 12 that is going to increase the concerns that were brought to your attention this summer, to which you didn't listen in the first place. Your new amendment is going to allow any person to represent a trade union for the purposes of picketing on third-party property—any person.

For example, a union could give any of the individuals who presently are hanging outside around the Eaton Centre a dollar and it could designate them representatives of the union. These people would have the authority to picket outside the entrance of a store in the mall.

By allowing the representatives of a union to take the place of union employees, the government, in effect, is allowing union officials to have replacement workers while prohibiting a struck employer from using the replacement workers.

Mr Minister, in describing this replacement section, it is kinder to use the word "inconsistency" than "hypocrisy". Will you withdraw this amendment on the grounds of your inconsistency?

Hon Mr Mackenzie: I reject the grounds that I'm inconsistent, and no, I will not withdraw the amendment.

1410

POLICE JOB ACTION

Mr Chris Stockwell (Etobicoke West): My question is to the Solicitor General. The problem with the use of force in Metropolitan Toronto I see as a more systematic and people problem than in fact is on the surface. The police in this particular city are convinced—

Interjections.

The Speaker (Hon David Warner): The member for Etobicoke West.

Mr Stockwell: The police in Metropolitan Toronto who are on this work-to-rule campaign are convinced that nobody in this government has their interests at heart, that nobody in this government represents the interests of the rank and file officer. Some of that problem I think, in fact a lot of that problem, must be laid at the doorstep of the Solicitor General and the Premier of this government.

You've introduced policies which are totally out of touch with what the police are going through on a day-to-day basis in Metropolitan Toronto: filing reports for drawing their guns and appointments that police perceive as direct opposition to the rank and file cop.

The appointment of Susan Eng as chair was an appointment that a very small percentage of people, a very small percentage of officers, would have endorsed. You didn't consult with the union, although you'll consult with unions on an ongoing basis on a whole bunch of issues, but you didn't consult with the police officers in Metropolitan Toronto about the appointment of someone who frankly previous to this appointment was anti-police.

My question: To restore police confidence in you and this government, in this administration, why would the Solicitor General not appeal to the Premier that he reverse a bad decision and revoke Susan Eng's appointment?

Interjection: I'll bet you're not even ready for this.

Hon Allan Pilkey (Solicitor General): You wouldn't have to be too ready for that one.

I think the remarks by the member opposite really do nothing to help solve a contentious issue and matter before the people of Metropolitan Toronto in this particular area. I am pleased to see that the Metropolitan Toronto Police Force has scaled down its job action and quite frankly I hope to see it end in its entirety very soon.

With respect to the appointments to the police services board, I think all members of that board, whether they be representatives of the government or representatives from the municipality of Metropolitan Toronto, are all collectively

working in the best interests of the citizens of Ontario and the city that they represent and will continue to do that.

Mr Stockwell: The minister categorizes my remarks as doing nothing to help the process. Mr Minister, quite frankly you're doing nothing. You're doing nothing by coming to this House and refusing to meet with the police officers. You're doing worse than nothing by appointing a chair who none of the police officers want to see there, who they don't accept as a person who is representing them. You're doing nothing by not meeting with the officials who have asked a number of times that you meet with them. You're doing nothing by having the Premier sit idly by and yourself sit idly by when a very important issue is taking place in Metropolitan Toronto.

I submit to you that your ministers have all the time in the world to meet with Mr Upshaw and OPSEU about opting in some thousands of bureaucrats for union positions. You've all the time in the world to meet with other union officials when it comes to labour legislation. Why is it that you don't have half an hour to meet with another union that happens to be requesting a meeting for some number of weeks?

The question is, why will you not meet with this union, which is asking, begging you for an audience so it can explain its position?

The Speaker: Will the member complete his question?

Mr Stockwell: The only idea I can come up with is that this union doesn't have checkoff, and checkoff means it submits money to you. Is that what it takes to get a meeting with you, Mr Minister: money?

Hon Mr Pilkey: I understand that this is a politically partisan forum, and if anybody didn't understand it, after remarks from the honourable member opposite he surely would understand it. I've never heard such a diatribe full of tripe for several weeks in these chambers. He's absolutely wrong. I accused his honourable colleague in the front benches the other day of being out to lunch, and I think Stockwell's out to lunch with him.

I want to tell you that I as Solicitor General and the ministry I represent meet with the police stakeholder groups, all of them, on a regular, ongoing basis, and they in fact have input to all of our considerations and deliberations.

The suggestion from the member opposite is that we're refusing to meet with this association. I have said in this House for a week and a half, and publicly, that my door is open. As a matter of fact, just a couple of days ago the Ontario Provincial Police Association took up that offer, did appear in my offices and emerged to indicate to the public that it was not joining the Metropolitan Toronto Police Association campaign, which it sees as misdirected.

The Speaker: Will the minister conclude his response, please.

Hon Mr Pilkey: I will, Mr Speaker, but it might interest the members opposite as well that other jurisdictions—in Edmonton, Halton, Thunder Bay, Waterloo, Sudbury and others—all follow this existing program. It's interesting that many of these comments suggest they see all of

this action as much to do about nothing. It is, and if people join the very positive, financial—

The Speaker: Will the minister conclude his response, please?

Hon Mr Pilkey: —resources that we provide to build on the framework of policing to ensure that our streets are safer and to give our men and women officers even more tools to do their job properly, we will all be a lot better off than this kind of railing rhetoric from members opposite.

Mr Stockwell: I think what the police are looking for, Mr Minister, is simply a meeting with you.

Mr Drummond White (Durham Centre): Is there a question here?

Mr Stockwell: Yes, I do have a question. He's accusing me of being out to lunch. Maybe if you went to work before noon, I'd accuse you of the same, but I can't. This minister has been a major foul-up in every ministry he's ever attempted to run. If we asked you to fill out a report every time you made a mistake, Mr Minister, all you'd be doing is filling out reports.

The request from the police association is to meet. This minister hung one deputy minister out to dry. This minister now is going to let Chief McCormack hang out to dry on this one. They've asked for a meeting. Toronto has some different policing problems from Sudbury and Thunder Bay—

The Speaker: Does the member have a supplementary?

Mr Stockwell: —and a few other cities, Mr Minister. You haven't met with them, you haven't allowed them to meet with you and your door has not been open. I ask you again, what is going to have to happen? We know about the deputy minister you hung out to dry on the corrections issue. Are you going to now allow the chief of police in Toronto to be left out to dry, to seek forms to force his people to go back to work—

The Speaker: Will the member complete his supplementary, please.

Mr Stockwell: —before you allow a simple meeting to take place? Please, meet with them for half an hour; that's all they're asking.

Hon Mr Pilkey: It's been my experience, in the couple of decades or so that I've been involved in public office—and I certainly thank the people who have supported those efforts and allowed me to serve in that capacity—it's always been my experience that when you have a very poor case where you can't win the argument on the facts and on the merit, what you do is switch channels to some sort of personal attack. I think the remarks we just heard from members opposite speak to the reality of that situation I've just commented on.

In addition to that, Mr Speaker—

Interjections.

The Speaker: Order. Will the minister take his seat, please. Minister.

Hon Mr Pilkey: If I might return at least to the substantive nature of the argument, I want to indicate again that I'd indicated in this House, I believe for weeks now,

and in public that my door is open to those associations that wish to have an explanation of this particular regulation. Why the member opposite persists in saying that option is not available, even after having been publicly told that that is the case, I don't know, but I'll try it one more time, because some people have more difficulty than others comprehending: My door is open to that association or any other major police stakeholder group, as it always has been.

1420

CHEQUE CASHING BILL

Mr Gilles E. Morin (Carleton East): My question is to the Minister of Community and Social Services regarding the cheque cashing issue. I want to know why the minister of Community and Social Services persists in defending the status quo. Since when are excuses a substitute for decision-making and action?

The minister says that Bill 154 is flawed because it does not suggest alternatives. I have encouraged the government and representatives of financial institutions to work together. We have the full cooperation of financial institutions. She knows that I have stated repeatedly how important it is to set up a system that will guarantee that low-income Ontarians can cash their cheques.

Minister, let me make a suggestion to you. The bill is lying here dormant: third reading. The bill was passed by all the members of this House. All you have to do is to suggest, through a motion, that the bill be sent to committee of the whole, be fixed, be honed, be fine-tuned and sent back to third reading, and pass it. Minister, why are you stalling?

Hon Marion Boyd (Minister of Community and Social Services): I have answered this question to the member a number of times. I am not defending the status quo. We are working very hard to change the status quo. There are a number of issues that we have done. We have tried to reduce the post-dated cheque problem, and we are getting good cooperation from both the municipalities and from our areas. We have done an implementation, which starts this month, of a new postal system called the NDG sort, which means that those cheques go on the date that they're dated so that we don't have the pre-date problem.

We have 35% of FBA recipients now on direct deposit. We sent out a notice in the August cheques to encourage more, and we're getting a good response. We have six different projects going on in municipalities to have direct deposit of GWA cheques. We are working with the Canadian Bankers Association around identification issues and around indemnification issues it has asked for. We are continuing to do that because we believe that until we have all possible avenues in place, it makes no sense to absolutely end the cheque cashing outfits, because people end up with no place to cash their cheques.

Mr Morin: Minister, I have never said that I wanted these organizations to be out of the picture. What I said is that no fees should be charged for anyone cashing a government cheque. We have the full support of the House. The key word here is "initiative." The minister has all the facts. She has all the cooperation she wishes. We can learn

from Quebec's experience and implement Bill 154 without leaving anyone in the cold.

Why does the minister allow the charging of fees that deprive low-income Ontarians of money they desperately need? When will the minister practice what she preaches and become more responsive to the needs of low-income Ontarians?

I would like the minister to explain to this House why she is delaying action when you have lineups of people waiting for food and you take away their money. This is not fair. Minister, when are you going to take the initiative to resolve the issue? Don't linger; act now.

Hon Mrs Boyd: We know very well from the experience of Quebec that if you do not have these other measures in place, cheque cashing simply goes underground: The official charging of fees stops, but the underground charging of fees does not. We are not prepared to make the same mistake. That is why I keep on saying, every time the member brings this up—and he seems to have no other topic on his mind—that we are acting to try and prevent this issue in ways that we believe are more effective than what he is suggesting.

EDUCATION POLICY

Mrs Dianne Cunningham (London North): Mr Speaker, my question is to the Minister of Education.

Interjections.

The Speaker (Hon David Warner): Order.

Mrs Cunningham: Mr Minister, I'm sure you're aware of the consultation conference in Windsor our party held on the weekend. There were a lot of questions with regard to the whole issue of destreaming, most of them raised as a result of the question and answer session that you and I had in the House last week. I wanted to give you an opportunity to clarify a couple of points with regard to this issue.

First of all, you talked about September 1993 as being an implementation date, and then you further stated that there was a three-year phase-in, so there's some confusion. You also said that there would be common core documents available soon for the boards to look at in order to implement this program of destreaming. When will you be releasing the common core documents, since next September is less than 10 months away?

Second, what do you really mean by "phasing in"? Does this mean that one school within that board could start in September 1993 and yet all the other school boards could wait and initially defy your intent and not begin this destreaming until September 1996? Would you clarify those two issues at this point, please?

Hon Tony Silipo (Minister of Education): I'll be happy to try to do that. First of all, with respect to the common core curriculum document, I expect it will be available some time later this fall. I'm hoping it won't be too much longer before that can be circulated to school boards and schools.

With respect to the implementation time line, the distinction between what starts in September 1993 and what goes on for the next three years is generally this: We've

indicated that with regard to the issue of credits, that will start to be applicable as of September 1993; that is, that there won't be any need to calculate the credits on that basis.

Also, with respect to the formal labelling of the courses as general level and advanced, that will conclude as of September 1993. So there will not be those three different categorizations.

However, the pace at which the full implementation takes place is being left to school boards to determine within that three-year time frame, and that's taking very much into consideration the kinds of things that school boards have said to us in terms of wanting to have that kind of time frame within which to fully implement the changes in the teaching that will take place inside the classroom. I think that's the distinction.

I can tell the member opposite that, given the questions that have been asked, we will be sending out some clear explanations around this issue, so that again that issue—

The Speaker: Would the minister conclude his response, please.

Hon Mr Silipo: —can be hopefully understood in a better way.

Mrs Cunningham: From this interchange that we've had in the House, I can see that the minister does recognize that there's tremendous confusion out in the schools, but for myself as critic, I can say only that there's total chaos in the ministry itself.

I would like to make this observation: When the minister told us that he had consulted with the boards on many facets of education with regard to this whole singular issue of destreaming, I can tell you that this weekend in Windsor we were told by the Ontario Public School Boards' Association that the only document it had any consultation over at all—and that was a singular response—was Transition Years, nothing else.

Minister, with regard to the confusion today and with regard to the chaos within your ministry, why are you proceeding with those destreaming programs next September when we won't even have the core documents, as you stated, for another month or two? Why are you insisting that you proceed with September 1993 when really you have now told the boards that it's okay to do this in September 1996?

Hon Mr Silipo: I need to clarify that I haven't said anything different or new today that I haven't been saying to people for the last four or five months on this in terms of the time lines. There is no change. If having some information that spells this out line by line is what's needed, then we'll make sure that it gets out there.

1430

Quite frankly, the Transition Years document that the member opposite speaks about is essentially the document on which the discussion around this issue has taken place and out of which has come our decision to go forward with the common core curriculum to the end of grade 9. The chaos that she speaks of, I'm not sure where that comes from, in her mind and elsewhere.

Clearly, there are a lot of experiences that have already been in place. There are a number of boards and a number of schools that have been offering this kind of a common core curriculum already. It isn't something new that is being pulled off the shelf and handed to people. It's continuing, in effect, with something that has been in place for a few years and suggesting a slow but steady process of implementation and phasing in that takes into account the experiences that school boards have and where they are in the process of implementation, given their own experiences and how ready they are to do full implementation or partial implementation by September 1993.

PLANT CLOSURE

Mr Randy R. Hope (Chatham-Kent): My question is to the Minister of Agriculture and Food. The staff can rest assured this is not about stable funding; this is about a Campbell Soup plant closure that is taking place in my riding. Campbell Soup in Chatham announced on Thursday it was closing its facility, laying off 175 full-time people and 225 seasonal jobs, which is going to affect 75 growers in my area.

Mr Speaker, I must remind you it has nothing to do with Bill 40. What it has to do with is a federal Tory policy called free trade, which is deinstitutionalizing and decentralizing the jobs in my riding.

Interjections.

The Speaker (Hon David Warner): Order.

Mr Hope: If the Tories would quiet down, I could ask a simple question that's affecting the people in my riding. I know when they have a weekend in a convention, they get all worked up.

The Speaker: Order. Would the member take his seat, please.

Would the member place his question directly, please.

Mr Hope: I'm trying to get to the preamble about the jobs that are being lost in my riding. There is an alternative. To the Minister of Agriculture and Food, as you can see, my community has put forward an alternative, an ethanol plant, to try to help alleviate the job losses and the effects to the agricultural community in my riding. They have made a proposal to you.

My question is, Mr Minister, when can we see the positive effects the provincial government can play to help my farmers and help the workers who are being affected by this plant closure by putting an ethanol plant in my community? I want to know from the minister, what are you doing to help the people of Kent county with an ethanol plant, since we were one of the first ones in southwest-ern Ontario to have an ethanol pumping station?

Hon Elmer Buchanan (Minister of Agriculture and Food): The question of the ethanol industry has become very popular over the last year or so. In response to other questions in the House, we did establish an interministerial committee to look into the ethanol industry and see what form government support should take. That committee brought its report in about a month ago.

There were several suggestions in the report which may be acted upon by the government. They mentioned

and discussed the possibility of how the government could support research and development. They brought up the issue of whether we should provide funding for pilot projects; whether we should provide assistance to do market development and encourage market use. They also brought up the issue as to whether the government should get involved in loan guarantees for different projects across the province.

I think the member may be aware that there are many different proposals being put to the government at this point in time. The proposal that he mentions today is a very good one because it's developed by the people in Kent county. It has a lot of merit and will be given first-rate consideration by the government if it has money to put into the industry.

Mr Hope: I know the minister has said that he has a number of consultation papers out there, but one of the important things that I must emphasize to the minister now is that this plant closure is supposed to wind down by April, which means that we don't have a lot of time to do a lot of studies.

You're absolutely right: This is put together by the farmers in my community. I would ask the minister if he could make it a priority to help restore some of the confidence of the farming community in my area and also those workers who are being affected. I'm wondering if the minister could assure my community that he will take a serious look at the proposal that's being put forward by the farmers in my community.

Hon Mr Buchanan: I want to assure the member that we will give it very serious consideration. Furthermore, I happen to believe that when communities come together, as happened down in Kent county, and come up with a proposal, very often those ideas put together by the people in the rural communities are the best ideas a government can support, and we look forward to supporting those kinds of ideas in the very near future.

ONTARIO HYDRO

Mr Dalton McGuinty (Ottawa South): My question's for the Minister of Energy. Minister, you will know that today the outgoing chair of Ontario Hydro, just before closing his door on the way out, announced that Hydro plans to chop \$7 billion in capital expenditures over 10 years.

This announcement appears to be nothing more than smoke and mirrors. It claims to lower electricity rates, but it doesn't provide any cost breakdown whatsoever. In fact, "defer" is mentioned seven times in the announcement. For example, the Manitoba purchase will be deferred for five years under a "mutually acceptable" arrangement.

The minister will know that over six months ago in this House I raised a concern connected with the Manitoba purchase, and I'm asking the minister today: How much is this "mutually acceptable" deferral of the Manitoba purchase going to cost Hydro's ratepayers?

Hon Brian A. Charlton (Minister of Energy): I guess the member doesn't understand what "mutually acceptable" means. Mutually acceptable, in the case of deferring the Manitoba purchase, means that none of the

penalties will apply. Ontario Hydro is in direct discussions with Manitoba Hydro. They're the two proponents of this deal. If and when they have a mutually acceptable deferral, then I'd be happy to provide the member with any details that flow out of that.

Mr McGuinty: The minister is guaranteeing there will be no costs whatsoever, and I'm pleased to hear that. The Manitoba purchase unfortunately is not the only project that's going to be deferred by Mr Eliesen. Perhaps the greatest pressing concern arises from the deferral of the decision affecting the jobs of 25% of the good people living in Bruce county. Over 3,000 jobs are tied to future of the Bruce A generating station, and these people are, understandably, extremely concerned about their future. What you've done, Mr Minister, is you've placed them in a painful limbo.

You tell us that you need further review of the matter in order to make a decision regarding the future of Bruce A; in fact, two studies have already been done specifically related to Bruce A. The last study with respect to Bruce A was contained in a report filed by the chairman of Ontario Hydro, Mr Eliesen himself, submitted just over a month ago, to the board of directors. In that report they specifically address the issue of mothballing Bruce A and restarting it at some point or retiring it.

My question is: What is the real reason, Mr Minister, you are deferring this decision? Surely you do not need another study. Could it be because your ultimate intention is to ignore the studies and the reports done to date and to develop your own study with a preset goal of determining Bruce A must go? Could it in fact be that the criteria you wish to apply are political rather than objective?

Hon Mr Charlton: I can understand why the member for Ottawa South would like to have the province believe that this member, this minister, is making these decisions.

The reality is, he's right. There was a recent study completed of the retubing costs at Bruce. Those studies did not satisfy the board of Ontario Hydro, never mind the minister. The board made its own decision in this respect. This was not a decision dictated by the minister.

The review that will occur that has been ordered by the Hydro board as a result of its decisions this morning will occur over the next six months and will not have any immediate impact on jobs at Bruce.

The member is well aware that there has been a controversy that has plagued the Conservative Party, the Liberal Party when it was in power and is still an outstanding issue out there in terms of what the real costs of having to substantially retube and refurbish nuclear plants are. For the first time in this province we've made a decision that we want to get at the real answers in the public domain to those questions and, as a result of this review, the minister will consider an independent public review of this package that's produced in six months.

1440

Mr Leo Jordan (Lanark-Renfrew): My question is for the Minister of Energy. Mr Minister, you are not hesitant in issuing a directive in the form of a letter, without requiring cabinet approval, for the purpose of firing the

president of Ontario Hydro. Now that you realize the power you have under Bill 118, would you not issue a directive to the board of Ontario Hydro to come up with some immediate plans for staff reduction?

Our sources tell us there are between 5,000 and 7,200 surplus employees at Ontario Hydro. Your news release today from Ontario Hydro says only that the result of that implementation might be a reduction in the increase. I ask you, Mr Minister, to issue a directive to that board to come up with a three-year plan not only to bring this 8% increase down to 2%, but a plan for the future to actually come down to zero and negative increases.

Hon Mr Charlton: The question from the member for Lanark-Renfrew is one that puzzles me a little bit. All through the hearings on Bill 118 the member opposite and his colleagues in the Liberal Party shuddered at the thought of this government having the directive power in 118 and bemoaned the fact that they expected us to use it to affect and hamper the day-to-day operations of Ontario Hydro. Now he's asking me to do precisely that.

More specifically, though, in relation to the question he's raised, Hydro has already announced staff cuts of 2,000 to 3,000. A hiring freeze is now in place at Ontario Hydro. The member well knows that those specific targets have already been set and the minister has already directed the board of Ontario Hydro to proceed, to leave no stone unturned to find further operational cuts.

Mr Jordan: While other businesses in Ontario are going bankrupt and the ones remaining are doing their very best to reduce operating costs and stay in business and keep jobs in Ontario, what is happening at Ontario Hydro is continually increasing rates, losing revenue, and you, Mr Minister, say you do not want to interfere. Through your letter and directive you in fact did interfere and assist in the removal of the president of an organization who did have plans to bring the organization into a businesslike corporation. Now you've got it completely adrift. They don't know where they're going to end up.

Mr Minister, you have the directive power to solve the problems. Instead of promises to limit rate increases in 10 years, we should be focusing on zero rate increases. Will you commit to a three-year plan that can make Ontario Hydro more competitive and lead to an actual rate decrease in the future?

Hon Mr Charlton: Oh, would that the member for Lanark-Renfrew had been around to give that kind of advice to the Conservative government 15 years ago. For 75 years, Ontario Hydro grew unfettered in this province. Tories never had the courage to tell Hydro to reduce operations. Liberals were only there for five years, but for five years the Liberals never had the courage to tell Ontario Hydro to cut its operations.

Interjections.

The Speaker (Hon David Warner): Order.

Hon Mr Charlton: This government is proceeding to ensure that for the first time in its history, Ontario Hydro will be downsizing significantly its operations. We'll do our best with a bad situation left to us by those who preceded us.

SCHOOL FACILITIES

Mr Peter Kormos (Welland-Thorold): I've got a question for the Minister of Education. It was awful cold this morning in Welland and it's going to be a long, cold winter. If you're one of those kids at Alexander Kuska school, where you've got to try to get your education in a leaky, draughty, cold portable, I tell you, you're not going to have much prospect of a successful school year when you've got to battle the climate around you as well as all of the other struggles you've got to engage in.

Now look, the Minister of Education has known for a long time that those portables were long overdue for replacement. People like Roman Kruczynski, a leader in the parents' association there, have been fighting with the Ministry of Education for years.

Now's the time to do it. We need the jobs and we're going to get better value per dollar. This is a growth area of the community and those kids deserve better, don't they?

Please, would the minister tell us when the Ministry of Education is going to fund the replacement of those portables that should have been done a long time ago?

Hon Tony Silipo (Minister of Education): I'm aware of the problems that exist in that particular community and that particular school. I can tell the member that we are now looking, as I've already indicated in the House, at the question of the capital allocation, which of course will be for the 1995 year, as is the three-year advance process, but which I know is none the less of help to boards in terms of their planning for future-year building.

As I indicated, I think, in answer to a question earlier, I expect to be able, before the end of this month, to give a very clear indication as to either making the announcement or giving an indication as to when those allocations will be there. But I know that school board has put forward very clearly the needs it has, including that particular school, and we are looking at that very carefully.

Mr Kormos: The problem is that the parents of those kids believed the ministry two years ago when the ministry said it was going to consult and it was going to let the local authorities set the priorities. After all, who's in a better position to know what the priorities should be for capital expenditure than the board itself, the people most closely and directly responsible to the electorate?

You see, the families of the children at Alexander Kuska and the board bought into that, but they got stiffed. The fact is that they made recommendations, they put Alexander Kuska at the top of the list, and what did the ministry do? The ministry said, "No way, Jose."

I tell you, are they going to have it done to them again or is the ministry going to give credit to those hardworking women and men this time, those hardworking, honest families that want a little bit better education environment for their children; you know, classrooms where you don't have to worry about leaks in the roof or cold air blowing in under the door?

Hon Mr Silipo: I can't answer for what happened two years ago. I can say to the member, however, that we've made it very clear to the school boards this year that we expect them to be setting the priority listings, and we

would then look at those priority listings in relation to the needs of other school boards.

I know this particular school is at the top of the board's list, and I can tell the member that it is also high on the priority list within the region. I think that when the announcements are made, we can hopefully respond to the concerns that have been raised—

Mr Chris Stockwell (Etobicoke West): Blah, blah, blah.

The Speaker (Hon David Warner): The member for Etobicoke West, please come to order.

Hon Mr Silipo: —but I'm not in a position at this point to make a specific announcement with respect to that school.

MUNICIPAL BOUNDARIES

Mr Ron Eddy (Brant-Haldimand): My question is to the Minister of Municipal Affairs.

Mr Bernard Grandmaitre (Ottawa East): He's not here, Ron.

The Speaker (Hon David Warner): We do not have the minister in the chamber.

Mr Eddy: The minister was in a moment ago.

The Speaker: He has magically appeared. Okay.

Mr Eddy: On September 30, in a statement before the Legislature, I informed the minister of dissatisfaction with his lack of response to the county of Middlesex alternative package on the issue of annexation, dissatisfaction which is now somewhat more intense.

The people of Middlesex county and the city of London conveyed their serious concerns to the minister about the two days of hearings which were held in London on September 24 and 25, 1992. At that time, county Warden Frank Gare respectfully asked that the minister respond to the county's alternative package, which was presented to him in July 1992.

1450

The 24,000 acres proposed in the county's report to be annexed to the city of London is very reasonable, certainly much more reasonable than the minister's decision to annex 64,000 acres. County council is frustrated that the minister has left its report unanswered for several months, perhaps collecting dust.

Why, Mr Minister, have you failed to respond to the county of Middlesex alternative package?

Hon David S. Cooke (Minister of Municipal Affairs): It's my understanding that the county was also intending to appear before city council in London to see whether the city of London would agree to its proposal, so perhaps the member can tell me whether that's been done. My understanding is that it hasn't been done and that the city of London will not agree to a change in the announced boundaries that have already been made.

It's fine for the member to say that all will be well in London and Middlesex if we go ahead and accept the county plan, but the fact of the matter is, we're at exactly the same position now that we were before. There is no agreement between the county and the city. There is no

agreement on the boundary lines between some of the townships. That's why a decision had to be made through the arbitration process, because it couldn't be decided at the local level.

Mr Eddy: The minister's question does not answer my question.

The 24,000 acres proposed in the county's alternative is twice the amount of land that would serve the city of London until the year 2026 by virtue of the city's own study. As well, the alternative package is supported by all of the county's municipalities.

There have been recent newspaper stories indicating that the minister is considering changes to the legislation. However, while the minister is refusing to discuss these changes, he is also ignoring the county's request for a reply to its proposal.

Mr Minister, will you respond to the county of Middlesex alternative package, and when?

Hon Mr Cooke: I think I did indicate in the answer to the first question that there is no agreement in the county or in the city as to what the boundary lines should be. That's been the case for the last 11 years.

Somebody has to make a decision. The honourable member was actually the administrator for the county when all of this was going on, and he knows better than any of us in this room the difficulties. He was not able to agree to anything with the city. He couldn't provide the leadership when he was right there working in order to find an agreement.

The fact of the matter is, somebody has to make a decision. His government didn't do anything for the period of time that they were in power to resolve this issue. This is another example of a messy, difficult issue that the Liberal government left to us, and we've decided to make a decision.

PETITIONS

COUNTY RESTRUCTURING

Mr Allan K. McLean (Simcoe East): I have a petition that says:

"To the Legislative Assembly of Ontario:

"Whereas the Minister of Municipal Affairs has seen fit to ignore the council of the township of Tiny and their plea for reconsideration of boundary line changes within the municipality; and

"Whereas the minister has stated that restructuring within the county of Simcoe will be implemented,

"Now therefore the taxpayers of the township of Tiny find it necessary to band together and lobby against the implementation of the restructuring of the county of Simcoe.

"We, the undersigned, petition the Legislative Assembly of Ontario to refrain from passing the County of Simcoe Act until the provincial government deals with the township of Tiny in a fair and equitable manner."

There are 266 names, and I've signed my name to that.

STABLE FUNDING

Mr Randy R. Hope (Chatham-Kent): I have a petition that's on the issue of stable funding, and I'll just do a summary of it. It has a number of whereases, and it says that two thirds of the farmers of Ontario do not belong to any of the farm organizations, nor is there concrete evidence that any GFO, general farm organization, in Ontario has been beneficial to the overall wellbeing of Ontario farmers. "Therefore let it be known that the undersigned object strongly" and oppose the legislation to empower stable funding in Ontario. I affix my signature to it.

MUNICIPAL BOUNDARIES

Mr Ron Eddy (Brant-Haldimand): I have a petition from 135 citizens of Middlesex county petitioning the Legislature of the province of Ontario to reject the arbitrator's report for the greater London area in its entirety, condemn the arbitration process to resolve municipal boundary issues as being patently an undemocratic process and reject the recommendation of a massive annexation of land by the city of London. I've affixed my signature.

LIQUOR STORES

Mr Noble Villeneuve (S-D-G & East Grenville): I too have a petition, from residents and the people who live in and around the village of Maxville. It's expressing concern over the closure of the liquor store one day a week, and the petition is addressed as follows. There are 751 names, and I have affixed my name to it:

"To the Legislative Assembly of the province of Ontario:

"We, the undersigned, hereby petition the LCBO and the Ontario government to refrain from closing store number 309, village of Maxville, because of the undue hardships that this will cause other businesses within the village."

I submit this to the Clerk, sir.

Mr Wayne Lessard (Windsor-Walkerville): I have a petition that's signed by perhaps over 2,000 residents of the city of Windsor who by their signatures protest the closure of the Wyandotte Street East store number 33 and urge the Liquor Control Board of Ontario and the Ontario government to reconsider the decision of the closing of the store at 4835 Wyandotte Street East. I have affixed my name to that petition as well.

LABOUR LEGISLATION

Ms Jenny Carter (Peterborough): I have a petition to the Legislative Assembly of Ontario:

"Whereas the proposed changes to the Labour Relations Act reflect the fact that more women, more members of visible minorities and more part-time employees are in the workforce today than ever before; and

"Whereas these workers deserve the same access to the right to join together and bargain collectively as workers have had in the past under the act, which has tended to serve workers in large industrial centres; and

"Whereas the proposed changes to the Labour Relations Act will bring about greater worker participation and reduce conflicts and confrontation in labour-management relations,

"We, the undersigned, petition the Legislature Assembly of Ontario as follows:

"That the Ontario government and all the members of the Legislature effect speedy passage of changes to the Ontario Labour Relations Act so as to promote better labour-management relations and to provide women, visible minorities and part-time workers with the same right as other workers have under the act."

This is signed by 57 constituents of my riding, and I have added my name to it.

MUNICIPAL BOUNDARIES

Mrs Irene Mathysen (Middlesex): I have a petition that's signed by 57 residents of the county of Middlesex in response to the arbitrator's report for the greater London area. My constituents have asked that the arbitrator's report be set aside, because it does not reflect the expressed wishes of the majority who participated in arbitration hearings, it awards too extensive an annexation to the city of London, and it will jeopardize the viability of the county of Middlesex and our rural way of life.

I have signed my name to this petition.

GAMBLING

Mr Ted Arnott (Wellington): I have a petition, and it reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the NDP government is considering legalizing casinos and video lottery terminals in the province of Ontario; and

"Whereas there is great public concern about the negative impact that will result from the abovementioned implementations,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government stop looking to casinos and video lottery terminals as a 'quick-fix' solution to its fiscal problems and concentrate instead on eliminating wasteful government spending."

I have affixed my signature as well.

INTRODUCTION OF BILLS

TOBACCO TAX AND LIQUOR CONTROL STATUTE
LAW AMENDMENT ACT
(RETURNING RESIDENTS), 1992
LOI DE 1992 MODIFIANT DES LOIS
EN CE QUI CONCERNE
LA TAXE SUR LE TABAC ET LES ALCOOLS
(RÉSIDENTS DE RETOUR)

On motion by Ms Wark-Martyn, the following bill was given first reading:

Bill 85, An Act to amend the Tobacco Tax Act and the Liquor Control Act to Provide for the Payment of Tax and Markups by Returning Residents of Ontario / Loi modifiant la Loi de la taxe sur le tabac et la Loi sur les alcools de façon à prévoir le paiement de la taxe et des marges bénéficiaires par les résidents de retour en Ontario.

The Deputy Speaker (Mr Gilles E. Morin): Do you have a few words of explanation?

Hon Shelley Wark-Martyn (Minister of Revenue): Yes, Mr Speaker. The amendments in this bill make possible an agreement between the province and the federal government to have federal customs officials collect Ontario tobacco taxes and liquor markups.

People entering Ontario from outside Canada with more cigarettes, cut tobacco or cigars than allowed under federal returning resident exemptions must pay an amount equal to the Ontario tax due. This amount will be collected at the point of entry.

Similarly, people entering Ontario from outside Canada with more liquor than is allowed under federal returning resident exemptions are required to pay the applicable markup to the Liquor Control Board of Ontario. This amount will also be collected at the point of entry by federal customs officers on behalf of the LCBO.

The bill also makes administrative changes to the Tobacco Tax Act. The effective date of the amendments is on proclamation.

1500

Mrs Elinor Caplan (Oriole): On a point of order, Mr Speaker: I noted today there were no statements by the ministry during the appropriate time. This minister has placed a bill forward and I would like to point out that I believe it's an appropriate point of order that notice was not given, no statement was made, and as the critic for the Ministry of Revenue I had no opportunity whatever to respond to the proposal coming forward by the minister.

The Deputy Speaker (Mr Gilles E. Morin): This is not a point of order.

GRAND RIVER HOME IMPROVEMENTS BUILDING PRODUCTS, SUPPLIES AND SERVICES LTD ACT, 1992

On motion by Mr Farnan, the following bill was given first reading:

Bill Pr52, An Act to revive Grand River Home Improvements Building Products, Supplies and Services Ltd.

ORDERS OF THE DAY

BUILDING CODE ACT, 1992

LOI DE 1992 SUR LE CODE DU BÂTIMENT

Ms Margaret H. Harrington (Niagara Falls): I move third reading of Bill 112, An Act to revise the Building Code Act / Loi révisant la Loi sur le code du bâtiment.

The Deputy Speaker (Mr Gilles E. Morin): In the absence of the minister, the member for Niagara Falls moves third reading of Bill 112, An Act to revise the Building Code Act. Do you have any comments, any statement?

Ms Harrington: It's certainly with pleasure and I'm very proud today to move third reading of Bill 112. This bill certainly brings forward changes which are long overdue.

In fact, last week I met with the chief building officials of Ontario at their conference in Richmond Hill and they are eagerly looking forward to the passage of this bill. It will lead to more efficient and streamlined building regulatory systems. It will support industry efforts to introduce

more efficient, safe and innovative building techniques and materials.

Since the act was first introduced in 1974, a great deal has changed: new materials, designs and building techniques abound. Also, society today expects health and safety standards plus resource conservation and environmental conservation standards. Simply put, builders want to be able to introduce less expensive, more efficient building materials and the public wants safe, energy-efficient buildings.

The Building Code Act governs the administration and enforcement of the Ontario Building Code and the regulations used every day across this province. These revisions will bring the act up to date with the new realities. The reforms we are introducing are the result of several years of consultation with our building industry and its related professions: municipal building officials, home builders, associations—people who work directly with the code every day. After public hearings and clause-by-clause review by the standing committee of the Legislature, consensus has been reached on a broad number of amendments. Bill 112 balances the need to enshrine health and safety standards and the need to respond to the values and technology of today's Ontario.

First, the legislation will allow municipal building officials to streamline the building process by issuing conditional permits; that is, as long as zoning and other approvals have been obtained, construction can start. The remaining approvals must be obtained as the construction proceeds.

Second, the Ontario Plumbing Code will be transferred from the Ontario Water Resources Act to the Building Code Act. The new legislation will also help builders to cut costs by allowing the use of innovative materials, equivalent materials, techniques and other construction systems that are not authorized now by the code, as long as they have the same level of safety and performance.

The legislation also allows for the establishment of standards for existing buildings in such areas as maintenance, resource conservation and environmental protection. The existing buildings across this province, including our growing stock of affordable housing units, are a very important asset that we have to protect and preserve for future generations. Standards for existing buildings will be developed in a gradual process, in consultation with all the stakeholders.

We have also placed a very strong emphasis on health and safety. We are updating the process for building inspectors to obtain a search warrant to inspect a building when there is a concern about a safety problem. There will also be heavier fines for people who break the building code safety regulations.

To sum up the key points, it paves the way for the introduction of safe, innovative, cost-efficient building materials and construction techniques; it allows the use of less expensive and safe new building materials which will help our building industry become more competitive; it will place a greater emphasis on energy efficiency and resource conservation; it makes it possible to develop a uniform

maintenance standard for all our existing buildings, including our stock of affordable housing and rental units.

Bill 112 is part of our commitment to make it easier to produce better buildings at a lower cost. We want to make housing more affordable and our building industry more competitive.

The Deputy Speaker: Are there any questions or comments? Are there any other members who wish to participate in this debate?

Ms Dianne Poole (Eglinton): I'm pleased to participate in this debate and to support the government in the legislation it has introduced. Not that we believe it is perfect: The opposition did introduce a number of amendments that we felt would have improved the legislation, but having said that, we think the government has taken a major step forward in bringing this legislation forward.

There certainly has been a positive reaction by the interest groups and the industry; also by consumer groups. You can see why, because really, as the parliamentary assistant explained, for the first time now the building code is going to cover things such as new materials, innovative technologies and services that obviously were not part of the code when it was last amended, some nine years ago.

I don't think anybody in this Legislature would argue with the need to enhance safety standards and to streamline. Those are two very important aspects. One added bonus is that it should help promote economic activity, and we certainly need that in the province of Ontario today.

I mentioned that it was last amended nine years ago; however, in the fall of 1989 the Liberal government introduced legislation that bore a marked similarity to what the government ended up producing. However, the Liberal government legislation, which was called Bill 103, added a number of things that quite frankly the interest groups, consumers' groups and industry groups seemed to quite like.

One of the them, for instance, was the idea of the certified professional program, where at peak times the municipalities could appoint certified professionals to assist them in trying to get rid of the backlog. This was endorsed by numerous organizations, including, I believe, the Canadian Bar Association, the Ontario Home Builders' Association and a number of others. I think the Urban Development Institute, if I'm not mistaken, supported that as well. I regret that the government did not include that. I think the municipalities would have welcomed it and it would have helped the streamlining process.

1510

The government did move in one other area, which I'm happy to acknowledge, and that was the ungraded lumber issue. This was very contentious in our agricultural areas, in particular, and after a lot of pressure the NDP government did decide to amend the regulation related to that, which I think has been quite welcomed on the part of all parties.

One of the issues, though, that the government did not move on was that of including existing buildings under the standards of the Ontario Building Code Act. I am just

going to read from that particular section, subsection 34(2), where the government has now given the cabinet power to make regulations "to establish standards that existing buildings must meet even though no construction is proposed, including regulations...establishing standards for maintenance, occupancy and repair."

That sounds like a fine idea and certainly when it relates to health and public safety, I think it's something we can support. But the problem is that the government has given us no idea where it is going in this direction and right now this uncertainty is the last thing the apartment building industry needs. They were very opposed to the government including it in Bill 112. They said: "Please withdraw it. Have separate legislation, if you must, but spell out what you're going to do. Don't leave us this vague thing which may add enormously to our costs and yet not give us a sufficient remedy to get those costs back."

Yes, the government members will say, "Well, they can go to the rent control board and they can apply for getting some of those costs back, if they need to do it." But if all existing buildings are made to comply with the current codes, even though they might be 60 or 70 years old, that could be an enormous undertaking and certainly not be covered by the 3% that the government says would be allowable on top of any rent increase for this type of purpose.

So that is the conundrum and it is a difficulty that, on the one hand, the government has said, "We want you to do this," which I think we all support, but on the other, it hasn't given us a mechanism where it can be paid for.

My preference would have been to deal with this through separate legislation, a separate piece, an amendment, at a later time, because the government has said, quite frankly, it doesn't know how it's going to do it. What we would have recommended is get your act in order first, then bring in the legislation. It would have made a lot more sense than going forward in this way.

I would urge the government to please consult with the various affected parties in the industry before it goes ahead with its regulations. Make sure that it is not only effective and efficient but also possible. Do not put landlords in this province to the stage where they cannot comply with the Building Code Act because they can't afford it, can't pay for it and therefore don't do it. Let's see if we can work out some sort of way that this can be done in a sensitive way.

There are a number of other issues that did come up and we did file numerous amendments. Unfortunately, not too many of them actually saw the light of day. In fact, I think this is the first piece of legislation I've worked on personally where none of our amendments were actually supported by the government although, interestingly enough, some of our amendments were supported by government members. I think that after they came back from the lunch break, though, they were told, "Please don't show up for the vote," because those members were suddenly absent. But I do thank, for their very sensitive contributions to the debate, the members who did argue in favour of a number of our amendments. We did try to be very constructive about it.

In particular, I would like to thank a number of groups which were extremely helpful in the consultation process: the Toronto Area Chief Building Officials Committee, the Ontario Home Builders' Association, the Large Municipalities Chief Building Officials, the Canadian Bar Association, the Price Club, the Urban Development Institute and the Fair Rental Policy Organization of Ontario. I hope I haven't left anybody out.

Those groups came to our hearings by invitation and I found their contributions invaluable. Certainly, I hope that it will give the government a sense of direction where it might like to go with some of the regulations.

As the parliamentary assistant has mentioned, the regulations for the Building Code Act are in the Ontario Building Code. This is really the meat and substance of it. The Building Code Act is just the framework. So we would urge the government to open up that consultation process for the regulations. I think there's a feeling out there in this province that the government operates too much behind closed doors. Regulations that are put through a cabinet process, which are never aired in the Legislature, which are never subject to public hearings, I think are increasingly being scrutinized by the public. There is a reaction to it out there.

In order to make sure these regulations work, it is necessary not only to consult with some of the broader interest groups but to take it beyond that and let people know what you're doing and why you're doing it so that they can have a chance and an opportunity to submit their ideas.

In conclusion, I would just like to say that our caucus is pleased to support the amendments to the Building Code Act. While it isn't as perfect as we would like it to be, I guess maybe we're setting a trend with the Yes campaign on the referendum, that we're going to work with all-party unity. Again, just like the Yes campaign, we might say the document isn't perfect but it is well worth supporting for the very positive benefits it brings. I'd like to congratulate all the parties involved and the parliamentary assistant and Mr Tilson and Mrs Marland, the critic for the third party, for their participation in this very worthwhile effort.

The Deputy Speaker: Are there any questions or comments? Are there any other members who wish to participate in this debate? The member for Niagara Falls, did you have any comments?

Ms Harrington: Yes. I do want to thank the member for Eglinton for her support, and I want to assure her that the consultations all around the development of a code for existing buildings and the regulations under the act will certainly be broad-based and involve all the stakeholders who are eager to start on it.

The Deputy Speaker: Are there any further comments? If not, the member for Eglinton, you have two minutes to reply.

Ms Poole: Yes. I just want to respond very briefly and say that I'm pleased to have that assurance from the parliamentary assistant. There is one issue in particular that I haven't mentioned which perhaps she could take back to the table. The Ontario Home Builders' Association is quite concerned about one of the prospective regulations which

requires full-height basement insulation in houses, which will add, in its estimation, \$3,000 to the cost of the home. They point out, I think quite rightly, that the cost savings to the home owner as far as energy savings will not even reach this \$3,000 figure. We would urge the government to take a look at that.

I think our home building industry is in fairly serious straits right now and struggling to keep afloat in this recession, so every bit of help the government could give in this regard I'm sure would be very much appreciated. We want to make sure they have a balance between what's in the interests of the consumer and also what's practical and what can be done without damaging a very productive industry that has brought much prosperity to Ontario.

The Deputy Speaker: Are there any other members who wish to participate in this debate?

Mr David Tilson (Dufferin-Peel): I believe the last time the Building Code Act was amended was in 1974, as has been previously indicated. Bill 103, which the Liberals put forward, was proposed in 1989 and for obvious reasons never reached fruition.

I believe many people around the province, including the Liberals, to an extent, have given the impression that the bill is similar to Bill 103, and it clearly has, as the member for Eglinton indicated, some substantial changes. I think it is for that reason that we support the attempt to change many of the provisions of the Building Code Act. But we with the Progressive Conservative Party have many serious reservations, as we have indicated in the committee.

1520

It has been stated by the member for Eglinton and the member for Niagara Falls that this bill will improve the economy, and already, as the member for Eglinton has indicated in her response, we are finding out that there are many people around this province who are concerned as to the effects that the building code will have on our economy.

I received a letter, similar to the one which the member for Eglinton mentioned, from a constituent of mine, a home builder in Bolton. It was received this morning. He was concerned with the requirement for full-height insulation in all residential basements. It was referred to in this letter that the upgrade of such a proposal will, as the member for Eglinton indicates, add at least \$3,000 to the price of a new home, and of course this is a very strange development, particularly when we're concerned with the affordability of housing in a slumping market.

Mr Jim Wiseman (Durham West): That's crap.

Mr Tilson: It's not. When you compare it to what the building code is attempting to do with heat efficiency, the equation of \$3,000 for the price of new home, my constituent in Bolton tells me, will have an average carrying cost of \$300, while the resulting energy savings will be approximately 14% of a typical heating bill. That's an annual saving of \$120 to \$140. So already we have a development from the building code which is going to cost \$150 or more because of this new requirement for full-height insulation in all residential basements. This doesn't make sense

with the economy that we have, specifically in the housing industry.

My constituent tells me, in a letter to me which I received this morning: "Our industry has been severely hurting through these difficult economic times and extremely high lot levies which has created layoffs of over 65% of employees.

"This additional charge will certainly create fewer sales in the new home market and spur more buyers to the resale market, which does not create the employment that the new home market does.

"Our industry and the consumer does not turn a blind eye to energy conservation but realizes that conservation must make economical sense."

So my constituent has given very good facts to state that the energy conservation that is being suggested by the government does not make good economic sense considering the cost of what it takes to put this together.

So we spent four days on this bill in hearings, two of which were hearing delegations and the other two were on clause-by-clause; a very strange type of thing, particularly when these hearings are very expensive to undertake.

The type of bill that I think more appropriately should be in public hearings would be something that deals with the economy, with our fiscal problems, with some of these unbelievable labour positions that are being put forward by the government and even the whole subject of auto insurance. But instead we had public hearings on the Building Code Act, which was Bill 112. I must say I had a great deal of difficulty, particularly when I had received all of the written submissions that were made by the delegations in advance. This is something that could have been done in committee of the whole, and it could have saved the taxpayer of this province a substantial amount of money.

I indicated that our party is concerned with the number of reservations that we have with respect to this bill. I believe that it's going to result in more downloading to municipalities. It will result because of the added regulations and the vagueness that's being put forward in these regulations. It's going to require larger building departments in the municipalities all across this province. It's going to require that those building inspectors be more qualified. They will have to be more trained. Who is going to pay for those things?

I'll tell you who's going to pay for those people: it's the municipalities of this province. It won't be the province; it will be the municipalities, and that will result in higher property taxes, something that certainly all of us in the Progressive Conservative Party have fought many times, particularly with the proposals that have been put forward by the previous Liberal government. I would have thought that this NDP government, which made many of the same comments, would be averse to putting more downloading of these types of expenses on to the municipalities, specifically with the restrictions that have been put forward by the Treasurer of 1%, 2% and 2% transfer payment increases.

There's only so much money in the pot and it's going to now cost municipalities with their building departments because of the added responsibilities that they are going to

have. This will of course deal with accessory apartments and granny flats and those types of additional housing ventures that are being proposed by this government. All of those things are going to be administered by the municipalities, not the province. I have grave concerns as to what effect that will have on the property taxpayer of this province.

Some mention was spent during the committee on the subject of the certified professional, and specifically the Urban Development Institute commented on that. That was something that was put forward in the previous Bill 103 which never reached debate in this House, in which a provision was made for a certified professional program. The Urban Development Institute spoke of that in these hearings and indicated that the private sector could provide professionals such as engineers and architects who might be qualified to certify plans complying with the Ontario Building Code. That whole concept is being dropped.

The difficulty is, we all know that eventually, probably when this government goes out of office, the economy of this province is going to increase substantially and there will be another housing boom. More building of new houses will take place and we will need more building inspectors throughout the province to implement the many new buildings that will be constructed around this province. That means that the building staffs will mushroom.

There's a great flexibility of building inspectors, that in boom times many, many inspectors are needed and at times like this they're not needed. So they're either going to have to be laid off during these weak times or they're going to have to pay larger salaries to do work that really isn't necessary. That is why the proposal that was put forward in the previous Liberal bill we in this party would agree with, that you would never be able to properly staff building departments to meet the high volume in rush periods that could come about during prosperous times.

There was a suggestion made that these certified professionals might have conflicts of interest. I don't think so. I think it's a reasonable proposal. There are many municipalities which retain accountants, which retain lawyers, which retain engineers for specified matters which their specific municipality can't handle. Whether it's in boom times or whether not it's in boom times, they do farm out certain areas. Obviously, if conflicts of interest arise, those people don't take those positions. But for some unearthly reason this government almost forced the municipalities to increase the civil service again, which will result in higher property taxes.

Certified professionals—and I'm referring to the Urban Development Institute submission—would have shifted some of the functions on some permits to the private sector and permitted faster permit service in boom times and saved the taxpayers from employing redundant employees in short periods. I think that's part of the issue that I think this government should have looked at and for some unearthly reason has decided against. When the municipalities realize that, that they could have retained the certified professional—instead, their building departments are going to mushroom all at the cost to the property taxpayer.

There was another proposal or another amendment that we had serious reservations on and that had to do with the

cancellation of a permit which was issued in error, specifically clause 8(10)(a) of the bill, and I'd like to simply refer to that:

"Subject to section 25, the chief building official may revoke a permit issued under this act,

"(a) if it was issued on mistaken or false or incorrect information."

1530

The difficulty I have with respect to that section—when you build a house, when you build an apartment building, when you build a structure, you go to a building inspection department and obtain a permit and you rely on it. You rely that the obligations you have to meet have been met—otherwise you wouldn't get the permit—and all of the requirements that you have to meet. It sets forth what your funding is going to do, what you're going to be obliged to do to put up a specific structure.

What this sections means is that if you get halfway up in the building structure and all of a sudden find there's been a mistake, that there's been an error made by the building inspection department, this says: "Sorry, we made a mistake. We're going to revoke the permit, notwithstanding the fact that you've been progressing with this building under a building permit issued by our municipality."

I don't know what effect that's going to have on legal obligations. Can you imagine if you had to build a home? You obtained certain financing, you had made certain plans, you'd paid an architect, you'd retained other people to assist you in the construction of this house and, halfway through, you find out that the building inspector had made an error.

What do you do? Does that mean you've got to tear the house down? Does that mean your mortgage company's going to come along and say: "Sorry, you still have to pay for all these things that you've been forced to pay to, but you're going to have to pay more money to undo it. We're not going to give you a loan for that because the whole financing issue will be then out of whack"? It's going to put the owner of a home in a very, very difficult position and I take strong exception to that section.

The Urban Development Institute also referred to that section and expressed its concerns. They commented and said that:

"A building permit is a vital document relied on by builders, owners and mortgagees. If all the information filed on all the plans was correct, and people rely on that permit, where do they stand if the CBO decides he made an error that somehow goes beyond mistaken information?"

"Take the case of a permit issued contrary to the zoning bylaw because of an honest mistake in the building department, without any attempt to mislead by the applicant. It is clear that at present an innocent party who relies on a permit issued in the case of such an error has a claim for damages against the municipality, even though the municipality can stop the construction. This provision might call that damage claim into question and should be removed from the bill."

I think it's that legal implication they're afraid of. You're in the process of building and all of a sudden the building permit is revoked. What are you going to do? You

can't go against the municipality because it has revoked the permit. The structure that you have which was legal on Monday could, all of a sudden, on Tuesday be considered illegal. You don't have a building permit because under subsection 8(10) the building inspector has revoked that permit.

It puts the home builders of this province in a very, very difficult position, because honest mistakes are made. They're not made frequently, but they are made. They could be a matter of a lot severance, or with respect to having a structure that's too close to the lot line. It may mean, for example, the subject of minor variances that the owner is being forced to undertake but, at that point, notwithstanding anything that happens, if the mistake was made by the building department, that permit is revoked. It puts the people of this province in a very, very difficult position.

The most difficult issue we had in our party, the Progressive Conservative Party, was the subject of labour regulations—labour is on my mind, Mr Labour Minister—the subject of regulations, the expansion of regulations that are not going to be dealt with in this House, the requirements that aren't going to be dealt with in this House. We're going to have regulations which will be put forward without notice at any time, and that whole matter has been expanded substantially as a result of Bill 112.

I must read to you an amendment to one section of the bill. The government would put forward, during the committee, its proposed amendment, which of course carried. They have the majority on the committee and can do anything they wish, notwithstanding the position of the opposition parties. Then they would put the rationale down below.

Certainly, the members of the Progressive Conservative Party had a great deal of difficulty understanding the complexities of some of the amendments, specifically the ones dealing with amendments to section 34, which has to do specifically with all the regulations that can be put out by order in council.

One of the sections they added during the committee hearings was section 6.1. This is one of the areas that can be passed by order in council. It sets forth that they can do this by regulation:

"Setting out rules and policies to be observed in the interpretation of the building code by any person exercising a power or discretion conferred under the act or the building code."

You can say, "What does that mean?" Well, this is what the rationale says. This is the best part of the hearing, when we had this read to us as the reasons for the amendments. I really wish you well if you can follow what I'm about to read to you because, I can tell you, we had a great deal of difficulty understanding what it said. If one can't understand the rationale which explains the amendment, how can one possibly understand the amendment? This is what it says:

"Given the increasing size and complexity of the building code, the fact that it provides no guidance for those persons who are required to apply discretion in making regulatory decisions has proved problematic. As we

continue to encourage the industry (designers, manufacturers, builders) to be more innovative, there is a concomitant increase in responsibility placed on those charged with making decisions which require interpretation of the intent of the building code, including the acceptability or sufficiency of compliance regarding proposed 'equivalents' of new materials, products, systems or designs."

Isn't that wonderful? I'll read on, because it gets better:

"Whether a regulator or one of the regulated industry participants, it is important that the regulatory system have the appropriate degree of transparency and hence predictability."

So you've got to be transparent and then you can be predictable. That's what this is saying and that's what the whole purpose of these amendments is: If it's transparent, it'll be predictable.

"The ability of the province to prescribe in the building code criteria for its interpretation will help to achieve this goal and lead to more uniform application of the building code by municipalities."

As a result of the regulations that are going to be passed by Bill 112 and as a result of rationales such as this, building inspectors and people involved in the housing industry, whether they be builders, whether they be people who are suppliers, whether they be contractors, won't know what in the world's going on. They're going to have to take courses. The municipalities are going to have to send the building code people in the municipalities off to school simply to understand what in the heck they're talking about in these regulations. It's just going to be an unbelievable minefield of confusion.

During the hearings, of course, we were told: "There will be consultation. Continuous consultation will take place throughout time as to what changes in the regulations are going to take place." Of course, the whole reason why we went into public hearings is that someone discovered that farmers were all up in the air because they weren't able to use the ungraded lumber from their bush lots to build their outbuildings.

The government said, "Let's go into public hearings and we'll solve all that." Well, we got to public hearings and the minister had a press release, along with the Minister of Agriculture and Food, and he and she said on July 30: "Farmers who have traditionally used lumber from local bush lots to build farm buildings will be able to resume the practice under changes to the Ontario Building Code." This is the announcement of the Minister of Housing and the Minister of Agriculture and Food.

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Then we get to the hearings and wait anxiously for an amendment which is going to come forward in Bill 112. The parliamentary assistant is shaking her head. I'd like to read what she said. "In consultation with the Minister of Agriculture and Food, we're clarifying the provision in the building code concerning the use of ungraded lumber." I have yet to see the regulation. This promise has been made. It's as if: "Trust us. We're going to deal with it."

They say they're not going to do it, but we have yet to see the regulation. When are they going to consult with the farmers of this province? When are they going to consult

with the opposition parties? When are they going to consult with other people involved in the industry? We don't know, but we do know that the Minister of Housing and the Minister of Agriculture and Food are clarifying it, although they won't tell us exactly when or what that's going to do.

That whole process of consultation gives me great concern, because I understand that there are many regulations that perhaps shouldn't go into the bill. You can't debate every regulation that comes out. But the whole process is flawed. We were assured that this type of regulation would have been dealt with by the regulation under the consultation process. It fell through the cracks in the boards. They somehow missed it. Hence we had public hearings which cost the taxpayers of this province thousands of dollars. We never did debate it. We never yet have seen the regulation. It was simply announced that they're clarifying it.

The process, as I understand it, that came forward at the hearings was that the Ontario Building Code is based on the national building code, and that's revised every five years. The Ontario code is then set up for changes. This has been going on since the 1970s. The Ontario code is then set up for changes on a two-year cycle. Then there are three or five committees which are set up to review the code and develop the proposed regulatory changes. The bureaucracy sinks me. It overwhelms me when I read this stuff, but this is what I learned at these hearings.

Then the proposed changes are consolidated into a brief, booklike document which is distributed to the parties likely to be most affected by the changes: the architectural offices, the engineering offices and the construction association, as well as any party that requests the information. Then the ministry goes out on the road and holds seminars across the province to discuss these changes and ask for citizen and group feedback to the proposed changes. Then the recommendations are put back to the minister.

When all the input has been received, the minister, on the advice and information gathered, then decides on what the changes will be. There's no question that many of the changes are technical and will attract very little media attention, but that seems to be the process. The use of ungraded lumber in farm buildings certainly attracted some attention, and that's why we got into the public hearings of Bill 112. That's why I suppose I asked the question, how did we miss that, and what others are we going to miss?

Hence the flaw of the process of amending the building code, setting up little rules that no one knows about, by regulation. It's now going to consist of volumes and volumes of rules that you're going to need experts to talk to the builders about. They're going to have to have consultants and they're going to have to pay people. They're going to have to pay these consultants to advise them on how to put forward all these things. Meanwhile, it won't be the province of Ontario, although it's creating these things, there's a whole bureaucracy that's creating this massive stuff. That's going to then go to the building departments around this province. Who pays for that? The answer is, the municipalities. They're the ones that pay for all this.

Again I get back to the whole process of downloading. It's a very serious position when you put forward these policies, you expand the regulations, you make them completely unbearable and the municipalities have to administer them. It puts the municipalities of this province in a very, very difficult situation. The Urban Development Institute also commented on that, which was subsection 34(2). They said the regulations "establishing standards of maintenance, occupancy and repair" of existing buildings as an occupancy code is a good idea. The problem is that such standards will exist side by side with all the other occupancy standards the municipalities pass under the Planning Act, or in the case of a number of cities, including Toronto and Ottawa, under special legislation. In other words, we're going to have different sets of rules: We're going to have the municipal rules and then we're going to have the provincial rules. The building inspectors in this province are going to be completely overwhelmed, as will be the builders. It puts us all in a very difficult position.

The most damning comments as to the building code with respect to these regulations came from one of the delegations, the Fair Rental Policy Organization of Ontario. I think it becomes clear that this is the real reason why this package of the building code was changed from Liberal Bill 103, I think it was, to the current Bill 112 of the NDP. It has been changed so that it meets with the elaboration of rent control.

You ask, is that possible? Yes, it's possible. I'll tell you what's happened. Bill 121 and the retroactive Bill 4 set forth that you can only raise your rents by a certain percentage. Bill 112 says that existing buildings must meet certain standards, and they're going to come through regulation, which will be changed from time to time without debate and without the knowledge of the owners of buildings. They won't be able to plan for those changes; they won't be able to set aside reserves.

All of a sudden these regulations are going to appear before us, and the owners won't have the financial resources to meet them. At the same time, they're going to be tied down by the rent control legislation that says you can only raise rents by a certain percentage. The squeeze is on. The squeeze of the ownership of these buildings is on.

There's no question that Bob Rae, the Premier of this province, with his comments before he got elected that he intends to take over the housing industry of this province and make it all public housing, is on schedule. It's another brick that's being laid, this Bill 112, which is going to put the squeeze on the landlords and the owners of the buildings of this province. If the landlords and the owners haven't had a look at this bill, I think they'd better take a long, hard look at it because it's going to have serious repercussions with respect to them.

Fair Rental made some interesting comments, which I'd like to refer to. They state, "As set out in subsection 34(2), these regulation-making powers could apply to any of the 28 areas delineated for new buildings in subsection 34(1), including such matters as standards for plumbing and venting systems or the types of materials which must be used in a building, establishing standards for maintenance

and repair and prescribing standards for resource conservation and environmental protection."

Fair Rental talks about three major problems with this proposal, from the perspective of the rental housing sector. Again, as you're listening to this, keep in mind what I believe this government's trying to do. I believe they're planning to put their thumb on private enterprise, the people who own the buildings in this province, and put them out of business; put the squeeze on them and put them out of business. I think we saw it with Bill 4, we saw it with Bill 121 and we're seeing it again with Bill 112 with respect to these regulations.

"First, it duplicates existing standards at the municipal and provincial levels;

"Second, it adds greater uncertainty to the operating environment for rental buildings and risks the implementation of new standards with no public debate; and

"Third, it is being proposed at the worst possible time"—and I think this is the main issue we should be looking at. The written submission from Fair Rental, which is dated September 3, 1992, goes on—"as landlords strive to absorb the blows dealt by the retroactive application of Bill 4, the 1990 rent freeze legislation, and the recent proclamation of Bill 121, the Rent Control Act, 1992."

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They then go into some of the areas of these regulations which give them specific concerns. The first is duplication, and I've referred somewhat to that. They point out that:

"In more than 430 municipalities in the province, including all those of significant size and covering well over 90% of the rental housing stock, property standards by-laws have been passed pursuant to either the Planning Act or the special legislation for cities like Ottawa and Toronto. Where municipalities do not have their own standard, the provincial minimum standard applies."

Who says that standards in the city of Toronto are going to be the same as those in Thunder Bay, in Windsor, in Niagara Falls, or other areas around this province? Who says we're all the same? Who says that the requirements are going to be all the same throughout the province of Ontario? The municipalities have different bylaws, different rules that are being set forward, and this bill is simply going to create absolute havoc in the building business. The report goes on:

"As an organization"—this is Fair Rental—"we have heard no suggestion that these local standards are suffering widespread deficiencies or are in need of replacement." During the hearings, we heard no complaints that what standards we have now around the province are deficient. In other words, none of the municipalities came forward, or none of the residents from municipalities came forward and issued any comment with respect to deficiencies. "In many cases, the municipal standards have higher order requirements than the provincial standard. The fact that municipal property standards vary to some degree is not unreasonable given the huge differences between regions of the province and the diverse requirements of municipalities which might have 2,000 residents or two million."

Of course municipalities of 2,000 are going to have different requirements than a municipality of two million. Of course they are. Why is this province trying to make us all the same and make the municipalities pay for it? They're putting regulations on municipalities that they don't even want. Many of the municipalities in this province don't want these because they don't require them. In many of them, they do.

In other words, I'm saying that Bill 112, the philosophy behind it, which is a complete botch of Bill 103, was needed. But you blew it. You put forward proposals that really would have been quite adequate as expressed in Bill 103. But for some reason, I believe you're considering rent control—you're considering your socialistic and your crazy fiscal policies with respect to Bill 112.

The subject of uncertainty is also dealt with by Fair Rental. It was said during the hearings and is made in the written submissions that: "It is one thing for cabinet to propose a change in a specific aspect of the existing building code regulation; it is quite another to propose a whole new set of regulations, which for the first time will apply to existing buildings, without any requirement that the Legislature or the public be consulted." This whole issue was the very issue that seemed to create the most objection of the entire hearings, and it has not been addressed in amendment by the government during the hearings or in this House.

The report goes on to say, "The greater the uncertainty, the less business people are able to plan investments, for they never know how requirements may be changed in the future." I spent some time on that. Obviously, if new concrete garages or new brickwork or a new roof or new requirements are needed for an apartment building, the landlord or the owner of the building puts reserves aside or tries to prepare for that. But if all of a sudden, out of the blue, this government or its bureaucrats decide to write a little regulation and not tell anybody about it, what are they going to do? How are they going to pay for it? Where is the money going to come from?

In these terrible times, the value of buildings has gone down, and we've now put a freeze on rents, so they can't get money from any other sources. Where's the money going to come from?

The answer is, they're going to have applications from tenants. Because Bill 112 isn't being complied with, rents are going to go down. It's going to put the owners of buildings in an even worse situation, and on top of that, these problems won't even be rectified. They won't get rectified.

Who's going to pay for it? You? The government? Are you going to pay for it? Is that the real plan, that you plan to take over the housing industry? Was Bob Rae, when he made his comments as opposition leader in that famous, terrible interview where he said he was going to take over the housing industry, all the housing industry was going to become public and the government was going to own everything—socialism in the extreme, and it gives private enterprise, the business community in this province, grave concerns.

Further with the written report to the committee from Fair Rental:

"When, under Bill 121, a landlord has only a 3% allowance above the annual rent increase guideline available to fund capital improvements, this uncertainty is further heightened. If a decision is made that garbage repair work must be done to satisfy safety requirements, thus using up the 3% allowance for each of the next three years, how then can an owner implement the required changes if a new code for existing buildings is brought in a year later?"

That's the problem. On the one hand, let's say the government passes a regulation and says, "We're going to have to have some sort of garage repair work and that's got to be done," and then a year later it comes through with something else, where's the money going to come from? From up above? Where's it going to come from? You people aren't going to give it; you're broke. Where's it going to come from?

The owners of the buildings of this province and the landlords are really, really concerned as to where you're going, and it gets back to the overall continual package, brick by brick, of the destruction of the housing industry in this province.

Fair Rental then gets into the subject of timing in its submission:

"There could be no worse possible timing for considering changes which will impose further costs on the rental housing sector. The industry in Ontario is already reeling from the combined effects of the recession and the draconian provisions of Bill 121."

They're trying to figure out how to keep their heads above water. Bill 121 and Bill 4 have really created havoc with them. Aside from the whole subject of the recession, the housing industry is in deep trouble in this province. Why would you put this sort of thing on them at this particular time? How are they going to make it through? You're making it worse and worse and worse.

I again emphasize, if you own a building or if you're a landlord in the province of Ontario, take a look at what Bill 112 is going to do to you, because it's going to give you grave concerns.

The report goes on, "Over the next several years, building owners will be faced with the necessity to absorb huge losses as a result of capital expenditures caught by Bill 4 which will never be recovered."

Remember Bill 4? Bill 4 was retroactive, and it said you had to do all these things and couldn't recover them. Don't ever forget Bill 4. It's a dastardly bill, and it drove a nail into several of the arms of the landlords of this province.

The report goes on:

"Financial losses for which recovery allowed under the old Bill 51 rules has now been wiped out; the threat of tenant applications to reduce rent on the grounds of 'inadequate maintenance,' a term which has never been defined"—"inadequate maintenance" has never been defined. Maybe it's going to come through the back door in this strange set of regulations Bill 112 has. Maybe we're going to find something there. We still don't know what "inadequate maintenance" is under Bill 121—"and against which, therefore, there can be no assured defence; forthcoming

changes to the fire code which will require retrofit costing an average \$500 to \$600 per unit;..."

This is what the owners of residential buildings are being put up to by this government. This is only part of it. This is part of the overall package, and you have to look at the overall package.

They are also being asked, the report says, for "mandatory recycling in buildings, even where there is no municipal garbage collection." Can you imagine? We're going to have mandatory recycling in buildings even though there is no municipal garbage collection. Who's going to pay for that? Who's going to pay for all this stuff? Then it goes on "and a host of other costs." The report goes on, "To add the further threat of a code for existing buildings with completely unknown compliance costs is both unreasonable and unnecessary."

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Finally, I will just refer to a couple of other passages in the Fair report which express their concerns, "If a code for existing buildings is to be regulated"—as this will with respect to Bill 112—"it must be done in conjunction with the elimination of the restrictive capital provisions of Bill 121," otherwise Bill 112 negates Bill 121, both bills negate each other, and that is a concern of Fair.

Our party put forward an amendment which was rejected by the government. That amendment stated that there should be a separate amending bill which would be brought forward with the accompanying code in the form of draft regulations, and in that way, all these problems would be addressed. All these problems would be dealt with ahead of time, and we'd be able to look at the repercussions they would have ahead of time. All the interested parties, the stakeholders—this favoured word that's coming into this House in the last number of months—would be able to participate.

The stakeholders aren't having much say in Bill 112. They're having no say in Bill 112, because the regulations are burning the stakeholders at the stake, so that—

Ms Harrington: Ah.

Mr Tilson: That's exactly what's happened. "In that way," Fair concludes, "it will be possible for all parties to weigh the costs and benefits of the specific code provisions and reach a considered decision."

I will agree with the Liberal critic on one factor, that certainly the amendments to the building code were long overdue. But our party, as I have put forward this afternoon and during the committee hearings, has grave concerns. We have grave concerns that by trying to solve one problem, they're going to create a whole host of other problems. So I hope that members of the government will take a long look at Bill 112 before this is finally passed into law.

The Acting Speaker (Mr Noble Villeneuve): Questions and/or comments?

Ms Harrington: I would like to thank Mr Tilson for bringing forward very clearly that there are substantial changes in Bill 112 from Bill 103. It is certainly a bill that our government is very proud of.

Secondly, I thought he read the rationale very well for paragraph 34(1)6.1. He made it quite clear how important it is that the chief building officials and inspectors have guidance, and that's exactly what the intent of that section was.

Being on the municipal council in Niagara Falls, I certainly am very sensitive to the issue of downloading to municipalities. I find it very much of an exaggeration to say the number of building officials will explode. We are dealing with realities here, and that certainly is not the case.

He also brought up the problem of the ungraded lumber regulation. This was created by the previous Liberal government, and it was solved by us. I think you could ask any farmer across Ontario. This is not a problem. We have solved this problem.

This shows how important it is to work together, to find practical solutions that make sense to people. I would like to invite all those who are involved—as Mr Tilson has pointed out, they're called stakeholders, but really we're talking about the home builders, the building officials and all the professionals involved—to now start the process with the ministry of looking at the regulations that make sense for this province.

The Acting Speaker: Further questions and/or comments? Seeing none, would the honourable member for Dufferin-Peel take two minutes in response.

Mr Tilson: I think all of us in this House will agree the building inspectors do need guidance, you're absolutely right, and they need rules. I think that the home builders, the people who are building our homes, the people who are building our apartments, the people who are building all of our housing in this province, whether it be for the new plans you have for accessory apartments or granny flats or apartment buildings or non-profit housing, all those things need guidance.

The difficulty is, when are we going to get the guidance? All of a sudden, out of the blue there'll be no consultation, no announcement; it'll just be produced. We'll get a letter from them saying, "This is this."

We have established with the ungraded lumber proposal that your consultation process does not work. Otherwise, you wouldn't be in the mess that you are in today. It never would have happened. That's an example of why the consultation process didn't work. If you have one example, you're going to have 10 more.

As far as your putting out press releases and saying that the ungraded lumber problem has been solved is concerned, I have yet to see a regulation. All I hear is the parliamentary assistant making statements in this House and committee saying, "We've solved the problem," yet the regulations haven't even been introduced. There are no regulations. She's clarifying the position, that's all she's doing, so the problem is still there.

I really challenge her on continually coming to this House and to committee and saying, "We're solving the problem." You're not solving the problem. If you are, when are you going to give us the regulation? When are

you going to tell us? All you're saying is: "Trust us. We're going to solve this problem."

So again, I believe all of us in this House should treat this bill with great caution.

The Acting Speaker: Further debate? Seeing none, would the honourable parliamentary assistant wish to make some final comments?

Ms Harrington: Mr Speaker, I think I have already concluded, thank you.

The Acting Speaker: Ms Harrington has moved third reading of Bill 112. Is it the pleasure of the House that the motion carry? Carried. Resolved that the bill do now pass as in the motion.

PARKING INFRACTIONS
STATUTE LAW AMENDMENT ACT, 1992
LOI DE 1992 MODIFIANT DES LOIS
EN CE QUI CONCERNE LES INFRACTIONS
DE STATIONNEMENT

Mr Hampton moved second reading of the following bill:

Bill 25, An Act to amend the Provincial Offences Act and the Highway Traffic Act in relation to Parking Infractions / Loi modifiant la Loi sur les infractions provinciales et le Code de la route en ce qui concerne les infractions de stationnement.

Hon Howard Hampton (Attorney General): Today I have the pleasure of bringing to the House for second reading the Parking Infractions Statute Law Amendment Act, 1992. Members will recall that this bill replaces part II of the Provincial Offences Act dealing with parking offences.

The bill will reduce significantly the likelihood that people will be convicted of parking offences because of wrongful identification. It does this by requiring the prosecuting authority, usually a municipality, to send to people who have not responded in some way to a ticket, a notice called a "notice of impending conviction." This notice is sent to the owner of the licence plate shown on the ticket. If the owner claims he or she has no knowledge of the ticket and could not have committed the offence, for example, because he or she was not in the ticketing city at the time of the offence, then he or she can call up the municipality and explain this.

In most cases, the municipality will drop the charge. If the claim of innocence is not believed, then the owner will be able to request a trial and tell it to a justice of the peace. Either case avoids the present unpleasant situation where an innocent person first hears of an alleged offence when he or she gets a notice of conviction.

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In addition, we propose that the regulations under the act will require municipalities to note on the ticket the renewal month of the licence plate. This date can be checked against the birthdate of the owner on the Ministry of Transportation records that the municipality gets to send out its notices. If they do not match, then there has almost certainly been a misidentification.

Bill 25 also streamlines the process for dealing with people who do not respond to parking tickets. Across the province, about half the people ticketed pay immediately and about 5% plead not guilty and request a trial. The other 45% do nothing. At present, the tickets of this last group are presented to a justice of the peace along with proof of ownership of the ticketed car. The justice of the peace will convict the person if the documents are complete and regular on their face. Under Bill 25, the municipality will certify that the tickets are complete and regular on their face and request the conviction. The clerk of the court will then enter a conviction. This will save time and money, as the tickets and ownership documents will not need to be filed in court at all.

The bill provides a new method to challenge a conviction under the new procedure. A person convicted may take the ticket to a justice of the peace. If the justice of the peace finds the ticket not to be complete and regular on its face, then the justice of the peace can quash the conviction. In addition, the municipality that requested the conviction, based on the defective ticket, will have to pay the person \$25. This will be an incentive to the municipality to screen out the defective tickets before requesting convictions from the court.

The bill also provides a new, fast way for municipalities to appeal convictions. If a person can persuade the municipality that he or she should not have been convicted, the municipality itself can now look after the matter and save the person the time and effort of dealing with the courts. Once the fine is levied, it must be collected. At present, the court officers send out notices of fines to the people convicted. If the fines are not paid, a justice of the peace will make an order that the Ministry of Transportation should not renew the person's licence plate until the fine is paid.

Some municipalities can probably collect fines more effectively and faster than this on their own. Bill 25 allows them to take over the file after the fine is levied, to send out the notice of fine in due date and to collect the fines as they would any other debt. They will be able to send any outstanding fines back to the Ministry of the Attorney General for plate denial if they remain unable to collect the fines. The ministry will be able to refer the unpaid fines to the Ministry of Transportation without an order of a justice of the peace at this stage in order to save further time.

I want to emphasize that municipalities that wish to leave fine collection to the court officers will have every right to do so. Some press stories have suggested that the government was going to force municipalities to take over fine collection. This is not the case.

In short, Bill 25 will serve the public by reducing as much as possible convictions based on wrongful identification. It will serve the municipalities by improving their cash flow and reducing the paper to be transmitted to the courts. It will serve the court offices by reducing the incoming paper. Finally, it will serve both municipalities and courts by letting the former take over collection work from the latter as the municipalities will put a high priority on collecting fines payable to themselves and the courts will be free for work more important to the province.

I remind the House that the bill has the approval of the Association of Municipalities of Ontario. The municipality of Metropolitan Toronto is particularly enthusiastic about it. I ask that the members of the House join in supporting this useful measure.

The Acting Speaker (Mr Noble Villeneuve): I wish to thank the Attorney General. Questions and/or comments on the Attorney General's participation? Seeing none, further debate?

Mr Robert Chiarelli (Ottawa West): Right off the top, I want to say that we will be supporting this particular initiative. However, we have several reservations and several comments to make with respect to its introduction and the timing of its introduction.

First of all, I want to indicate that it would appear to me that this initiative came forward around the time that the whole issue of parking tickets was of some concern to this government. I think if we reflect back on the former Solicitor General, Mr Farnan, from Cambridge, we'll recall that some of his staff apparently sent letters to various court officials concerning improper tickets and fines that emanated from the tickets. That was a symptom of a system that simply, absolutely, was not working. The government reacted in terms of timing after that particular incident.

Mr Mike Farnan (Cambridge): You understand that now.

Mr Chiarelli: Yes. The member for Cambridge says, "You understand that now." I say to the member for Cambridge, isn't it surprising and amazing that the government initiated this particular legislation when that type of incident started to come to the fore? It did not have enough grasp of the ministry and the nature of the problems within the court system to understand that it should initiate it before a crisis comes forward on the government's desk.

That, as a matter of fact, is what is very common in the Ministry of the Attorney General. What we see is a reactive ministry and a reactive minister who reacts after a crisis has developed, and we see it on a whole range of issues, which we won't go into today. However, it does kind of underline why the minister has the nickname of the Minister of Inertia.

However, I will say that we do support it because it's going to help clean up part of a mess that's in the system of issuing tickets and fines and convictions in the province. But I do want to say to the minister, and I do want to say to municipalities that may be considering taking up this new option, that they have to make a very important business decision before they jump into this new system, because those people who don't respond to a ticket, or those people who are improperly ticketed and don't know anything about it, represent between two million and three million people a year in Ontario.

Under this new system, potentially the municipalities would be sending each one of these people a notice that the municipality does not now send. If you look at just the cost of postage to send these notices to between two million and three million people a year, you're looking at \$1 million in postage. That's just the 42-cent stamp that you have to

put on the envelopes to mail to these people. It represents a type of offloading to the municipality, just on the price of postage, of somewhere in the vicinity of \$1 million. That's to say nothing about the cost of administration: the staffing, the cost of the envelopes, the cost of the information technology and computers that municipalities will have to get involved in in order to gain this revenue from the fines.

In each instance a municipality will have to be very careful before it takes up this particular plan. It may be all right for the municipality of Metropolitan Toronto, which has a large infrastructure and a large population base so that it can generate some economies of scale. But with respect to smaller municipalities, this may not be an advantage, and therefore this legislation may not appeal to them at all. In fact, as the minister said, this really is of importance to Metropolitan Toronto, and that may very well be the case; probably is the case. Again, perhaps the Ministry of the Attorney General should be looking at an alternative system or improving the existing system for those smaller municipalities that cannot opt into this, because it doesn't make financial sense to gear up and send out notices and have an administrative staff and so forth.

While it may be important for Metropolitan Toronto, and it's obviously advantageous to Metropolitan Toronto, it is definitely not certain that it will be an advantage to the smaller municipalities. As I said, if this thing were taken to its conclusion, and all the municipalities took it up, there would be over \$1 million in postage alone that the municipalities would be taking on.

1620

So I would simply say a word of caution to smaller municipalities as to whether or not this is going to really assist their cash flow.

I think that the minister, as well, should look at whether or not some changes could be made in the provincial system should a municipality want to opt into the existing system to improve it for those municipalities that can't get the economies of scale.

There is another thing I want to point out in terms of a reservation with respect to this legislation. I want to read the compendium for this legislation. One part of it indicates, "As a further safeguard for the person convicted, the new bill eliminates the possibility that a sentence of imprisonment for a fine default may be ordered at the time the fine is imposed." It goes on to say, "An opportunity for a separate hearing must be offered after the default before an order for imprisonment may be made."

What the Ministry of the Attorney General is saying and what the Ministry of the Attorney General is doing is continuing the possibility of incarcerating people for non-payment of traffic fines, traffic convictions. In my opinion, that is unacceptable.

As a matter of fact, it's unacceptable to the government, because we have on record Hansard, which I will refer to, going back to November 5, 1991. At that particular point in time the Attorney General was moving second reading of Bill 76, An Act to repeal the Fraudulent Debtors Arrest Act. Basically, what that bill did was eliminate the possibility of debtors' prison. In other words, there was

legislation on the books that permitted the courts in Ontario to imprison people for not paying a civil debt.

At that particular point, I raised with the Attorney General—I'll refer to Hansard. I'm quoting myself, so there's a great authority here:

"We certainly support this bill and see nothing objectionable in it"—I was referring to the Fraudulent Debtors Arrest Act, the abolition of that particular bill—"with a couple of riders. First of all, it should be known that if the Attorney General is going to address the issue of the citizens of Ontario being put in jail for what amounts to debts, I think the Attorney General should give some consideration to the reality that is happening out there in Ontario whereby people with unpaid parking tickets, which is basically a debt to a municipality or to a particular ministry, are in fact still being put in jail for non-payment of these fines, which are debts. They are basically being put in jail for what amounts to minor debts. In some cases it is for two, three and four days.

"I think it is important the Attorney General look at the whole area of imprisonment for minor infractions and minor offences, particularly those relating to debts."

The Attorney General responded to my comments. As I say, that was on November 5, 1991. Basically, he said:

"The member for Ottawa West asked—or made comments to the effect—what are we doing to deal with issues of incarceration with respect to minor offences like municipal bylaws and the Highway Traffic Act etc. I am happy to tell him that we have been working on this issue since early this year and we will be bringing forward some legislation, I hope, this fall"—referring to 1991—"if the schedule permits. That should interest him a great deal."

What does interest me is that this is additional evidence that the nickname Minister of Inertia is quite appropriate, because here we have in November 1991 the minister saying, "We will be introducing legislation to deal with this issue, hopefully this fall." We haven't seen anything about it. We haven't heard anything about it. There's nothing on the books that we can see at this particular point in time. And the minister, having said that in November 1991, is in here today saying he is continuing incarceration for parking offences. It's very symptomatic of the whole problem in the administration of justice in Ontario: They take a little bit here, they take a little bit there, they do a lot of little things. Nothing's connected and there is no agenda.

One of the problems we have in our system of justice in Ontario is in the corrections system, where there are tremendous numbers of people who are taking up space and consuming a lot of Ontario budget dollars in our institutions. A lot of those people are there for non-payment of fines that have been ordered by the courts, some of them still in fact for non-payment of parking fines, for convictions for parking. It just doesn't make sense. There are alternative ways to deal with these issues short of putting people in jail. I see the new corrections minister eyeing this particular issue. It's a matter that is very important and that we have to deal with, and we have to deal with it soon.

The Solicitor General is there nodding his head yes, but on the other hand, if we look at the compendium for this legislation dealing with parking tickets, it says that it is

continuing—"An opportunity for a separate hearing must be offered after the default before an order for imprisonment be made." We have legislation coming forward which permits the ordering of people to be imprisoned or put into provincial institutions for non-payment of fines, parking ticket convictions.

I can recall quite clearly, when we were in government, attending a briefing that was sponsored by the then corrections minister. He had his deputy minister and senior officials in the briefing session. One of the issues then with the Liberal government at that time was that there were too many people taking up space in our provincial institutions for non-payment of fines. The cost to the province of Ontario for that is absolutely insane and unconscionable. People have been talking about it for a long time—it goes back to the previous government—and we still see inertia; we don't even see talk about it with this government.

I'm simply saying to the new corrections minister and to the Attorney General, who are here, that I wish they would put some framework in the whole justice area. There needs to be some kind of anchor. There need to be some beacons out there for the lawyers, for the corrections people, for our advocates in our society to understand where the system is going, how it is coming together. What we do see is ad hockery.

I'm not saying that the particular pieces of legislation that are introduced are bad. As I said, we're supporting this legislation with some reservations, one of the reservations being that it still permits incarceration of people for parking offences. I'm saying that it doesn't make sense to be passing a new law setting this out at the same time that the corrections ministry is probably looking at removing this provision. There are many cases in this government in the administration of justice where the left hand doesn't know what the right hand is doing.

I hope, as I've said before—and it's in Hansard—that the new Deputy Minister of the Attorney General will be able to provide that anchor for the administration of justice in the province of Ontario. We're dealing on an ad hoc basis with legal aid; we're dealing on an ad hoc basis with parking tickets; we're dealing on an ad hoc basis with many, many issues.

I would say in conclusion that we support this legislation, with the reservation that it ought not to continue the provision to incarcerate people for parking offences and with the reservation that this type of legislation and this type of issue should not be brought forward to this House or to the people of Ontario without being put in some framework within some greater policy area. I haven't seen it, the legal profession hasn't seen it, and it's about time that the Ministry of the Attorney General starts talking about overall policy and putting these initiatives within some policy framework.

1630

The Acting Speaker: Thank you very much. Questions and/or comments? Seeing none, further debate?

Mr Charles Harnick (Willowdale): I'm pleased to rise to very briefly discuss Bill 25, An Act to amend the Provincial Offences Act and the Highway Traffic Act in

relation to Parking Infractions. May I say at the beginning that I'm quite happy with the pace at which the Attorney General's moving and at which his department is producing legislation, because if he keeps going slow, we're going to have a lot less to undo later on. So I'm quite frankly very pleased at the speed with which he moves.

But at any rate, let's deal with Bill 25. This is a very unique bill in the New Democrat tradition, because this is probably the first and only bill that I've seen where somebody is going to benefit. The municipalities are going to get a whole lot of money if this is implemented—and I'm pleased it's going to be implemented—and it's not going to cost anything. That's the most amazing thing about this piece of legislation: The municipalities are going to benefit and it's not going to cost them anything. Their taxes are not going up and nobody's downloading on them. This is not in the tradition of NDP legislation to date. I think it has that to commend it.

As I understand it, there are huge numbers of unpaid parking tickets currently in Metropolitan Toronto, where I understand about 75% of all parking infractions occur. I understand in fact that between \$35 and \$50 million remains outstanding in unpaid fines. If you take 75% of that as being from Metropolitan Toronto, that is money that can be used, particularly at these critical times. I'm very pleased that the Attorney General has brought this piece of legislation forward.

The other thing I might add is that I think this bill can be commended because it ensures that those who receive infractions will have their rights protected. If anything, the ministry has gone overboard to ensure that their rights have not been taken away. They're being given about three chances to plead to one offence and defend themselves, so that nobody is losing any rights by the implementation of this bill.

As I understand it, you'll get your ticket, you'll have the opportunity to plead not guilty and send it in, you'll then have an opportunity to receive a court date and you'll then have the opportunity to attend and plead your case before the court or the clerk. Nobody's rights are being taken away. If anything, those who ignore tickets are going to be reminded that there's a ticket outstanding and be given the opportunity to ensure that they can come and plead their case. I'm pleased about that.

In addition, one of the very difficult aspects about parking tickets is that because there are so many thousands of parking tickets issued, obviously there are going to be a great many mistakes in terms of processing them, starting at the period when the parking ticket is issued and signed, continuing right through until the date in court. I think this has a great deal to commend it.

It bears repeating what the position of the Metropolitan Toronto government is on this bill. Metro Chairman Alan Tonks has stated that Metro will be able to collect more money with increased speed under this new system, even if it has to pay some increase in administration of the new system. Mike Friendrick of the department of transportation, city of North York, an area I have the privilege of representing, has stated that he believes the legislation is

long overdue and will go a long way to improving the efficiency and reliability of fine collection.

I know a couple of amendments are going to be introduced today. I think they're worthy of consideration because they'll help make this bill work. I would ask that in future, if the Attorney General does have amendments, he could provide us with some idea of what they are, rather than sending us a letter on the day that he's introducing them. However, they are simple and I believe we can handle them today.

I don't wish to belabour any further discussion on this. I think it should become law as fast as possible and I'm going to support it.

The Acting Speaker: Questions and/or comments? Further debate? The honourable member for Etobicoke West.

Mr Chris Stockwell (Etobicoke West): Just a quick point with respect to this issue and parking infractions and speeding tickets and so on in Metropolitan Toronto. Having sat on that council for a number of years, I'm quite certain that the quotes attributed to the Metro chairman and probably a number of other councillors on council itself are fairly accurate.

Let me just say that it seems to me, in dealing with this issue on an ongoing basis, that I have specifically two concerns, not specific to the legislation but something that always strikes me as odd. My complaint at Metro level is that there's always capacity at those levels of government and this to speed up any process that generates them revenue. There's very little difficulty in getting parking officers or policemen approved and deployed because they're revenue generators.

It's always been a pet peeve of mine, it's sort of a burr under the saddle, that there's little difficulty in councils endorsing parking control officers and policemen to give parking tickets and there's always a tremendous amount of cooperation between both levels of government, provincially and municipally, to speed up the process to get people to pay their parking tickets and pay them promptly to generate revenue for the coffers of municipalities. Having said that, it strikes me as odd that there are always enough police officers and parking control officers to do just that, and officers who are enforcing speed traps that generally are positioned in unusual areas that generate revenue for municipalities.

I know it's not something that would offer a rationale or a reason to not support this kind of legislation. The point I want to make to the Attorney General is that there seems to be so much support, negotiation and speed to get people to generate more revenue for government, but on other important issues in policing in Metropolitan Toronto there seems to be very little support, very little negotiation and very little speed with which these systems can be handled, and I speak about break and enters.

One of the big complaints in my riding is all the break and enters that are taking place, and they're up substantially. In some instances, it's been reported to me, and maybe I'm wrong and the Attorney General can check it out, the police in Metropolitan Toronto don't even get to

your house for 24 hours if you've had a break and enter. They can't get to your door to find out what the incident is with respect to a break and enter. There's a whole series of policing problems and concerns that people in my neighbourhood have.

Probably one of the fewest complaints I get is about the speed with which you have to pay your parking tickets or how come you can't collect your money faster so you can get it into the government quicker. But that always seems to be something that all governments can get together on and work out rules and tighten up legislation to make people pay more money quicker so they can generate revenue that they can spend.

I don't want to suggest that this isn't good. People who get parking tickets should have to pay them and people who get speeding tickets should have to pay them and they shouldn't get off the hook. But I would like to note that it seems this kind of thing can happen very quickly, cooperatively, without any difficulty and a lot of the issues that my constituents come to me with can't seem to be addressed.

I wish that with the same cooperation we have between municipal governments and provincial governments with respect to parking tickets and speed of payment and revenue generators, we could also see the same with respect to break and enters and car thefts and so on that don't seem to get the same kind of attention as something that generates revenue.

The Acting Speaker: Questions and/or comments? Further debate? Seeing none, would the Attorney General have a summation?

1640

Hon Mr Hampton: Yes, Mr Speaker. First of all, allow me to say to all of the members that I appreciate their contribution and I appreciate their willingness to deal with this bill in a relatively speedy fashion.

Let me respond just to a couple of the concerns that were raised by members opposite. First of all, I believe the member for Ottawa West raised the question of, will people be jailed for parking tickets? I can tell the member for Ottawa West that our information from officials is that over the last three years, at least since the Provincial Offences Act, part II has been in force, we are not aware of anyone being jailed for failure to pay parking tickets. If he has some information of someone who has, I'd very much appreciate receiving that information so that we could check into it.

The fact of the matter is that almost all of these matters are now dealt with by way of flat denial, so I don't think that is a real problem. However, I can tell the member that we were advised that municipalities would like to have this option in the bill simply as the ultimate means of dealing with someone who ignores a number of tickets and simply does not respond. So while I can tell him that he may have a legitimate theoretical concern, I don't believe he has a legitimate practical concern.

Second, the member raised the issue that this will cost municipalities a great deal of money. I want to inform him that the Association of Municipalities of Ontario and the larger municipalities, including the municipality he resides

in, that of Ottawa, very much support not only the intent of the legislation but the structures that will operate under it. In fact the city of Ottawa already sends out notices of impending conviction so as to simplify and further the efficiency of its procedures. So while he may have some concerns, it is our understanding that municipalities are very much in favour.

Finally, let me say to him, if he feels that some things are moving too slowly, I only want to remind him that since we became the government, we had a serious backlog situation in the criminal courts that we've had to deal with, some backlogs at the Ontario Municipal Board that we've had to deal with, some backlogs at the assessment appeal board that we've had to deal with and some backlogs with respect to parking tickets that we've had to deal with. Since those were left over for us to deal with, we think we've got those under control now and we can move on with our agenda, rather than cleaning up the agenda that was left to us from the former government.

To the member for Willowdale, who says he appreciates that the pace of change is not moving too quickly, I can say that having had many debates with members from his party in the past, we don't want to move it along too quickly, because we want to ensure that they're able to take part in the debate, and if we do move too quickly, that might limit their capacity to get involved in the debate.

In any case, I appreciate the helpful comments made by the members opposite, and I appreciate their willingness to move this bill speedily through the House.

The Acting Speaker: Mr Hampton has moved second reading of Bill 25. Is it the pleasure of the House that the motion carry? Carried.

Shall the bill be ordered for third reading?

Hon Mr Hampton: Committee of the whole.

The Acting Speaker: The Attorney General, committee of the whole.

Orders of the day. The honourable member for Niagara South.

Hon Shirley Coppin (Minister without Portfolio): The 22nd order.

Clerk Assistant and Clerk of Journals (Mr Alex D. McFedries): The 22nd order, for resuming the adjourned debate on the motion for second reading of Bill 75, An Act respecting Annexations to the City of London—

Mr Gregory S. Sorbara (York Centre): No, we're supposed to go into committee of the whole. Shirley, just take us back.

Hon Mr Hampton: Just to clarify, we're asking for unanimous consent for Bill 25 to now move to committee of the whole.

The Acting Speaker: Do we have unanimous consent for Bill 25 to move into committee of the whole? Agreed.

House in committee of the whole.

The Second Deputy Chair (Mr Noble Villeneuve): We will now proceed to comments or any changes to any sections of the bill. The Attorney General.

Hon Mr Hampton: The government would like to amend Bill 25 in two small details. The first deals with filing requests for trial and the second is a transition.

The Second Deputy Chair: Which section would that be?

Hon Mr Hampton: The first amendment is a motion to amend subsection 1(1) of the bill, which is subsection 17(2) of the Provincial Offences Act.

The Second Deputy Chair: Would the Attorney General have copies of his amendments that could help us all here?

The Attorney General may proceed now by identifying which section of the bill is being amended, then proceed with a description of the amendment and then we will have debate.

Hon Mr Hampton: The first amendment deals with subsection 1(1) of the bill, which is subsection 17(2) of the Provincial Offences Act.

I move that subsection 17(2) of the Provincial Offences Act, as set out in subsection 1(1) of the bill, be struck out and the following substituted:

"Proceeding commenced

"(2) If the defendant pleads not guilty, a proceeding may be commenced in respect of the charge if it is done within seventy-five days after the day the alleged infraction occurred."

The Second Deputy Chair: Thank you. Would the Attorney General want to provide the House with some explanation?

Hon Mr Hampton: I would. The explanation I'm going to provide deals not only with this amendment but with the amendment which is to follow directly, the amendment to subsection 1(1) of the bill, subsection 18.1(2) of the Provincial Offences Act.

Essentially the bill as introduced requires that requests for trial for parking offences be submitted to the courts within 45 days, or within 30 days of the time when the requests are delivered to the municipality, up to a total of 75 days from the day the ticket was issued. This was an attempt to ensure that trials were scheduled at an early date. However, in practice this means that all the records of parking tickets will have to be screened for trial requests twice or even three times before they are filed with the court. Municipalities with a high volume of tickets will find this onerous.

As a result, we are proposing that requests for trial be subject to the same filing deadline as other tickets: a flat 75 days from the date of the alleged offence. We do not believe the optional additional 30 days will create undue delay. Of course, municipalities are not required to wait for the full 75 days and we expect most to file all their requests in less time.

1650

This one change requires two amendments to the bill: the amendment we are dealing with at this time and the amendment we will deal with directly after we finish with this first amendment.

The Second Deputy Chair: Any further amendments or comments emanating from the Attorney General's comments?

Are we ready for the question? Shall the amendment carry? Carried.

The Attorney General has a further amendment to subsection 1(1) of the bill. Could he please proceed with that one.

Hon Mr Hampton: I move that subsection 18.1(2) of the Provincial Offences Act, as set out in subsection 1(1) of the bill, be struck out and the following substituted:

"Proceeding commenced

"(2) If the defendant pleads not guilty after a notice of impending conviction has been given, a proceeding may be commenced in respect of the charge if it is done within seventy-five days after the day the alleged infraction occurred."

The Second Deputy Chair: Does the Attorney General want to comment on his amendment?

Hon Mr Hampton: I've already commented on this aspect.

The Second Deputy Chair: Is the House ready for the question?

Hon Mr Hampton: Call the question.

The Second Deputy Chair: Mr Hampton has moved his amendment. Is it the pleasure of the House that his amendment carry? Carried.

Shall section 1, as amended, stand as part of the bill? Agreed.

Attorney General, I believe you have amendments to section 2. Please proceed with that.

Hon Mr Hampton: I move that the bill be amended by adding the following section:

"Transition

"2.1 Part II of the Provincial Offences Act, as it read immediately before subsection 1(1) of this act is proclaimed in force, continues to apply to proceedings that were commenced before subsection 1(1) of this act is proclaimed in force."

The Second Deputy Chair: I gather this is a new addition to section 2?

Clerk Assistant and Clerk of Journals: It's a new section between 2 and 3.

The Second Deputy Chair: It's coming between section 2 and section 3?

Hon Mr Hampton: That's correct.

The Second Deputy Chair: Therefore, we will deal with section 2 and then the addition thereto.

Shall section 2 carry without amendments? Agreed.

The Attorney General, Mr Hampton, has moved an addition to section 2. Does the Attorney General want some explanations and/or comments here?

Hon Mr Hampton: This amendment is essentially a transition provision. We spent the summer discussing implementation of the changes with court offices and municipal governments and it became clear to us that the new procedures should apply only to tickets issued after the

new procedures come into force. The second amendment will provide that the new rules will apply only to tickets issued after they come into force. The current rules will apply to tickets issued before the proclamation date. As I indicated, our consultation with court offices and municipalities has persuaded us that this is by far the best and least confusing method of dealing with the transition.

The Second Deputy Chair: Are members ready for the question?

Is it the pleasure of the House that Mr Hampton's amendment carry? Agreed? Agreed.

Shall sections 3 and 4 stand unamended as part of the bill? Agreed? Agreed.

Shall the entire bill stand, as amended? Agreed? Agreed.

Shall the bill be now reported, as amended? Agreed.

Hon Mr Hampton: I move that the committee rise and report.

The Second Deputy Chair: Mr Hampton has moved that the committee rise and report. Agreed? Agreed.

Clerk Assistant and Clerk of Journals: The committee of the whole begs to report one bill with amendments and requests leave to sit again.

The Acting Speaker (Mr Noble Villeneuve): Shall the report be received and adopted? Agreed.

Orders of the day, the honourable government whip.

Hon Mrs Coppen: Mr Speaker, I understand we have unanimous consent to move to third reading of Bill 25.

The Acting Speaker: Mrs Coppen has asked for unanimous consent to move to third reading of Bill 25. Is it the pleasure of the House that we have unanimous consent? Agreed. We have unanimous consent.

1700

Hon Mr Hampton: I move third reading of Bill 25, An Act to amend the Provincial Offences Act and the Highway Traffic Act in relation to Parking Infractions.

I now have the pleasure of bringing the Parking Infractions Statute Law Amendment Act, 1992, forward for third reading. I would like to thank members of the House for facilitating the passage of this useful legislation, legislation that has not attracted controversy since its introduction in May of this year.

I also appreciate the assistance of municipalities across the province that have considered the legislation at various stages. The Association of Municipalities of Ontario was good enough to give us time during its executive meeting to explain the details of the legislation to it before introduction. A number of municipalities are now consulting with us in preparing the regulations and forms needed to put the bill into effect as soon as possible.

We hope to be able to proclaim the bill in force very soon, possibly by the new year. To this end, I ask your cooperation in now approving this third and final reading of Bill 25.

The Acting Speaker: The Attorney General, Mr Hampton, has moved third reading. Further debate? Questions and/or comments for the debate?

Mr Hampton has moved third reading of Bill 25. Is it the pleasure of the House that Mr Hampton's motion carry? Agreed. Resolved that the bill do now pass and be entitled as in the motion.

LONDON-MIDDLESEX ACT, 1992

LOI DE 1992 SUR LONDON ET MIDDLESEX

Resuming the adjourned debate on the motion for second reading of Bill 75, An Act respecting Annexations to the City of London and to certain municipalities in the County of Middlesex / Loi concernant les annexations faites à la cité de London et à certaines municipalités du comté de Middlesex.

The Acting Speaker (Mr Noble Villeneuve): When we recessed, I believe the honourable member for Brant-Haldimand had the floor. Is he prepared to resume his participation in the debate?

Mr Ron Eddy (Brant-Haldimand): I wish to assure you I won't be talking about horses today, but I may be talking about bulls. The Minister of Municipal Affairs earlier today made a few statements regarding Bill 75 and the annexation procedure and process. He stated that someone needed to make a decision. That's correct. He needed to make the decision, but he should have made the correct one, to proceed under the boundaries negotiations act, rather than the wrong one and appoint a sole arbitrator and produce the mess that we find ourselves in today on this bill.

Contrary to the statement of the Minister of Municipal Affairs that there was no agreement among the municipalities involved in the annexation, there was considerable agreement. In fact, there was complete agreement that the city should grow and did need some additional territory for expansion. However, the city's stated need at that time, produced by a consultant's study of its own, was that some 12,000 plus acres were needed, not what we're faced with today, the transfer of 64,000 acres.

Contrary to the views of the Minister of Municipal Affairs regarding my own role as administrator in Middlesex county, I want to assure the members that I did work to reach an agreement with all the participating municipalities in that particular process. But being an appointed person, it's not my role to instruct elected representatives how to vote, how to decide and what to say. I only wish the municipal boundaries negotiations branch would follow the same practice with its minister and allow him to make some proper decisions in this matter.

One other matter I wish to correct is the statement attributed to a former member of this House, Mr Douglas Reycraft, former MPP for Middlesex. The minister has stated that he presented a proposal for a regional government. Mr Reycraft has approached me to state that he proposed a modest annexation that would keep the option open for some other type of municipal government structure at some future time, which is a possibility in any area, of course. Unfortunately, this bill does not provide for any such possible solution in the future. I wanted to clear that up.

To substantiate what I've said about my own role, I'd point out that the former warden, Ray Campbell, is in the

audience and will speak to any members following about this matter, if they wish.

The time-limiting closure imposed by the government prevents me from adequately addressing and saying the things that must and should be said about Bill 75, An Act respecting Annexations to the City of London and to certain municipalities in the County of Middlesex. I've renamed it. It's An Act respecting the Emasculation and Disembowelment of the County of Middlesex. "Those are strong words," you say, but not strong enough, considering that the city of London study itself indicated the need for 12,000 acres for development up to the year 2026. The government has decided that's not nearly enough and is in fact proposing that the city receive 64,000 acres immediately.

In addition, the government is proposing the establishment of a neutered buffer zone of 55,000 acres, so you can see how this emasculates and disembowels the county of Middlesex. I say to all members of this House and to all municipalities in Ontario that are situated near larger urban municipalities: Beware, because Bill 75 establishes the procedure and the precedent to eliminate any and all of you, whether you're situated in counties or in regions—remember the regions are always established by acts of this House—or in unorganized districts.

I have a list of all the firsts contained in this bill, and they are substantial. Unfortunately, I don't think I'll be able to recite them all, but I did want to advise you of some of them and I will do so at this time.

Bill 75 will accomplish many firsts for the New Democratic government. These firsts compel me to call it unilateral, dictatorial, unfair and foul. Strong words perhaps, but I assure you there are citizens of the county of Middlesex and of the city of London who have much stronger words.

I would like to refer to you a book prepared by one resident, researched and written by one resident, Elder Stewart McColl who calls the procedure "The Cruel and Unusual." Read it. It has some excellent facts, some excellent quotes in it that should be read.

Mr Gordon Mills (Durham East): I read that. It is dreadful.

1710

Mr Eddy: I'm pleased to hear that some of the members have taken the opportunity to read it in its entirety. I'm sure they will be writing a letter to Elder McColl thanking him.

A number of firsts, as I've said. For the first time, it gives an annexing municipality considerably more land than it expected or wanted or applied for. Indeed it gives the city of London five and a half times the area that it originally felt it needed for development, 64,000 acres. Never in its wildest dreams did the city of London expect such largesse from this government.

It rejects agreements negotiated between the council of the township of London and the council of the city of London and an almost completed agreement between the township of Delaware and the city of London.

It rejects the decision of the city of London not to proceed with the annexation of lands from the township of

North Dorchester and the township of West Nissouri. The city council had in fact withdrawn both of those bylaws authorizing the annexation from those two municipalities—to concentrate on the others, I suppose.

This bill totally rejects the annexation process which was established by a statute of this Legislative Assembly, an Act to provide for Municipal Boundary Negotiations, a process that was carried out in good faith by the Association of Municipalities of Ontario and the Ministry of Municipal Affairs and followed by all ministers of Municipal Affairs until Bill 75.

The bill is the result of the appointment, for the first time, of a sole arbitrator with little or no municipal experience to recommend changes. The bill is founded on those recommendations, and when the sole arbitrator was introduced to the participant municipalities, the minister advised that whatever the sole arbitrator recommended, this government would legislate. Isn't that a bit presumptuous? Well, it's very presumptuous, in my opinion.

The bill imposes annexation on seven local municipalities and two counties, with no agreement among the participating councils, unless the approval of the city council has been obtained, and I'm not sure of that—and no applications, except the two passed by the council of the city of London authorizing the annexation of lands in the township of London and the town of Westminster. It imposes a settlement on the participating municipalities with no opportunity to include a moratorium period for future annexations. So that can happen at any time in the future.

Most annexation agreements have included moratorium dates as well as compensations. It decided on no provincial funding, in any manner for any matter, even though 35% of the assessment of the county is being annexed to the city of London.

It annexes land from a town in one county to a village in another county, without an annexation application from that council. Never before. It conflicts with at least seven other municipal statutes, and I don't have time, at this time, to recite them all as I did previously.

It dissolves the London-Middlesex suburban roads commission, making the city of London the only separated municipality in a county in the province of Ontario which does not contribute to a suburban road system. I don't know where the money's going to come from, but it's not going to come from a county that has lost 35% of its assessment.

It imposes, or tries to impose, I understand, the Cumming formula on the settlement of county assets to the city of London. Never before has this happened. Assets of an upper tier remain with the upper tier, except in the case of Metropolitan Toronto, where a new upper-tier government was established and there was a transfer of assets from York county to the municipality of Metropolitan Toronto; that's where the formula of Dr Lorne Cumming, a former deputy minister, came into being.

It rejects a decision of the London city council made in 1989-91 not to dissolve the London PUC or transfer any of its powers to the city of London, and that has been debated many, many times. The PUC, I would remind you, is an

elected body of the city of London, but that is an internal matter.

It exempts 55,000 additional acres from the local municipalities adjoining the city and county from the present democratic planning process. It neuters it; it's a buffer zone.

I look forward to correcting many of the flaws in Bill 75 in debate in committee of the whole. I only hope we have the opportunity.

As another first, it appoints the elected head of one municipal government composed of nine members to represent not only the citizens of that local municipality on the London city council, but also the citizens of three other municipalities that will be annexed to the city—most unfortunate.

The Acting Speaker: Thank you. The honourable member's time has now expired.

Mr Eddy: Can I ask one more question?

The Acting Speaker: The honourable member has asked for unanimous consent to continue the debate. Do we have unanimous consent?

Mr Peter Kormos (Welland-Thorold): He's got it, Speaker.

The Acting Speaker: You have unanimous consent to continue.

Mr Eddy: Thank you, Mr Speaker. It's most unusual, but I deeply appreciate it in consideration of the great seriousness of this matter.

There was a member on the other side of the House who once spoke to a subject for 17 hours. This subject deserves more time than that. My greatest concern is the precedent it sets. There are already, I understand, agreements that have been negotiated in other municipalities across this province, in counties, local municipalities, with their separated municipalities. They are now prepared to walk out the door on those agreements and to proceed to negotiate or to apply, under the boundaries annexation process, to change the system. That's unfortunate, and I don't think it should happen.

When the boundaries negotiations process was negotiated, the Brant-Brantford area was used as the pilot project. The township of Brantford surrounds the city of Brantford in the centre of Brant county. If this process had been used on that occasion, there would be no township of Brantford and no county of Brant at this time, because under this process the city would have taken it all and walked. What was done with great care, with a provincial negotiator who prodded the elected representatives every step of the way, was to attempt to meet the city's needs with undeveloped lands as far as possible and to leave the local municipality, and therefore the county, with an industrial and commercial base. It was accomplished. It was accomplished because people negotiated and the provincial negotiator saw that as each step was negotiated it was off the table and we proceeded to the next.

I use that as the example simply because, in the case of the city of London, nothing was ever off the table and there were things to agree to. I agree it was a much more complicated situation where you had the township of Lon-

don, the township of North Dorchester, the township of West Nissouri, the town of Westminster, the town of Delaware, plus the county and the city of London all sitting at a negotiating table. It was much too large and it was very difficult.

I think much more could have been accomplished. I think what should have happened is that the minister should either have proceeded under the boundaries negotiations act to appoint the committee—I've forgotten the name of it at the present time, to continue to deal with the matter—or he should have forced the members to proceed to make—

Hon Shirley Coppen (Minister without Portfolio): On a point of order, Mr Speaker: I've talked to several of our members, and when you asked for unanimous consent there were several of our members who said no. The member for Durham East was one of the members.

The Acting Speaker: Thank you. The Speaker must tell you that when I asked for unanimous consent, I'm sorry, I did not hear any negative.

Mr Alvin Curling (Scarborough North): On that point, Mr Speaker, I think the member will wrap up in about two minutes. We will honour the request so that we'll let the Tories get on.

The Acting Speaker: That's a very important point of information.

1720

Mr Hans Daigeler (Nepean): On a point of order, Mr Speaker: I was present when the request was made for unanimous consent and it was very clear that all the members in the House who were present at the time agreed and put forward the yes, so, Mr Speaker, you're quite correct.

Mr Mills: On a point of order, Mr Speaker: The statement is not correct. I said no.

The Acting Speaker: The Speaker did not hear the negative. The honourable member who had the floor can now proceed.

Mr Eddy: I would say to the members opposite that it's a learning experience, what I'm saying, and I hope they will take the opportunity to listen. The county of Lambton is another case in point, but I don't have time to discuss that matter today. But I would hope that all members present realize what can happen with the change in procedures and I would particularly point out to the member from the county of Lambton that the city of Sarnia, if this procedure is going to be followed, could immediately apply to annex the township of Moore. That could happen tomorrow. I don't know whether that would upset your constituents or not, but it might.

That is the type of thing this act provides for. It allows the procedure to go forth, to completely ignore all the rules that have been negotiated over a period of years with the consent of the Association of Municipalities of Ontario which dealt with and indeed debated with and discussed with all of the segments, all of the sectors, of that association, including the Rural Ontario Municipal Association, the Association of Counties and Regions of Ontario, the

large urban municipalities, the northern municipalities and the small urban section.

Each of them named representatives to a committee. The committee sat down and discussed what is the best way. I want to tell you, there were a lot more stringent rules proposed than are contained in this act. Out of it came a report. It was discussed with the Minister of Municipal Affairs and before the act was passed there was a pilot project. They said, if it works in Brantford, it can work anywhere in the world, because of the problems there and the ongoing animosity for years and years.

An agreement was negotiated and it did bring municipal harmony and it did not disembowel and it did not eliminate an important local municipality that had been a leader in commercial, industrial and residential development outside of a city. There were areas annexed to the city that were agreed to and it's worked out well. But I want to stress the importance of municipalities near or adjoining cities being allowed to continue and have an industrial and commercial base; it's essential.

As to the elimination of the London suburban roads commission, of course, it's not going to happen in all the other counties with their separated municipalities in Ontario, so the Minister of Transportation must feel it's essential to continue with that system. However, in London it's not going to continue. There are precedents for having large urban municipalities participate in suburban roads systems and contribute to them.

Before the formation of Metropolitan Toronto, the city of Toronto was a separated city from York county. There were no county roads in York county—they were all suburban roads—and the city of Toronto paid its half mill. When the city joined the 13 southerly municipalities of York county to form Metropolitan municipality, Metro became the separated urban and paid the suburban share to York county until it became a region.

The same happened in the city of Hamilton, where all the county roads, because of the size of the city and the half mill on the city's equalized assessment to suburban roads, became suburban roads. The same thing could happen in London-Middlesex, and I'll tell you, the suburban road system plans the road system outside the city, which is an asset to all. No one can deny that; it's an asset to all citizens.

I know there are a number of other things in the act I would like to speak to. However, I'm being prevailed upon to conclude and I look forward to correcting—to attempting to correct—some of the flaws in Bill 75 in committee.

The Acting Speaker: Questions and/or comments?

Mr Daigeler: Just a few remarks on what the member for Brant-Haldimand said. I think he expressed some very legitimate fears that he has for the people of his riding and the people of the greater London area, but I just would like to say that we in the Ottawa-Carleton area have similar fears, and just in case I do not get an opportunity to speak later on, I do want to put them on the record.

In the Ottawa-Carleton area we are also presently involved in a study on the possible reorganization of the Ottawa-Carleton area. Representing the city and the mu-

nicipality of Nepean, I'm extremely concerned by the precedent this particular legislation is putting forward and by its attempt to impose a provincial solution on the outlying areas of the greater London area. This is something that makes me, coming from Nepean, very, very wary about the government's willingness to listen to all the people and especially to listen to the people in the Ottawa-Carleton area, who take a very different view than the city of Ottawa does in our region.

This particular bill obviously sets a very dangerous precedent, and I just hope and I want to make sure that there will be no thinking on the part of the minister that what he's doing with regard to London he can simply repeat in the Ottawa-Carleton area, because I can tell him that I certainly will be one, and there will be many others, who will be extremely vocal in their opposition towards any kind of unilateral moves on the part of the government and on the part of those he has put in place.

Thank you very much for this opportunity to comment.

The Acting Speaker: Further questions and/or comments?

Mr Allan K. McLean (Simcoe East): I want to take a couple of minutes to compliment the member for Brant-Haldimand on the remarks he made and the ongoing interest he has in that community with regard to the annexation. Being involved in municipal life as long as he has, I know how it has affected him. We are in much the same position in Simcoe county with regard to the county restructuring that's taken place.

I don't know whether anybody over on the other side is listening to us or not, and it concerns me when we're talking about a consultation process, we're talking about people being able to have their say. We had referendums in the county of Simcoe where 90% of the municipality voted against county restructuring. The minister says he doesn't believe in referendums. The minister appointed an arbitrator in the London-Middlesex area, one lone arbitrator, to come in and make a recommendation. I think they were looking at some 25,000 acres, and it ends up the arbitrator gave them some 64,000 acres.

When I look at what's happening in Simcoe county with regard to Tiny township and the town of Midland and I look at how the municipality is losing some 25% of its commercial assessment, there have been no recommendations made that I've heard of—they may be working on them—for some compensation to that municipality. I think any municipality that loses that amount of assessment should be compensated for it.

I have thousands of petitions here from the people in Tiny township who are concerned about it, for the very same reasons as the member who has just spoken here today about the London-Middlesex annexation. The sole arbitrator came in there, made a decision accepted by the minister, and he's going to change that whole community in one sweep, so to speak, and I find it totally wrong. The minister indicates that he's listening, he's consulting. This government does not consult, this government does not listen. They want to dictate.

1730

The Acting Speaker: Further questions and/or comments? Seeing none, the honourable member for Brant-Haldimand has two minutes in response.

Mr Eddy: I appreciate the support on this matter, because I feel so strongly about it. As I say, it's not just the county of Middlesex and the city of London; it's the fact that a negotiated agreement between the municipalities of this province has negotiated the basis for the Municipal Boundary Negotiations Act, an act to be followed in all future boundary applications.

Why can't we proceed with the act until this House decides the act should and must be amended in some or several ways? That is the proper way to proceed. It's the only right way to proceed. We cannot run roughshod over negotiated settlements. I thought this government was so very strong on negotiated changes, that that's what it stood for in all cases.

If there's a way of negotiating the matter, let us negotiate it. Let's not be dictatorial, unilateral and undemocratic.

The people will be far happier, the citizens of the areas, of both the city and the county, will be far happier with a negotiated settlement settled by the people they have elected and put their trust and faith in. We have at the present time in our country a proposal for a negotiated settlement. I think it's somewhat similar.

Bill 75 will be going to committee. There are many, many changes that must be done to it, but the fact remains that the bill itself supersedes a provincial act negotiated in good faith between the municipalities, a very important level of government, and the government of the province of Ontario.

Mr McLean: Mr Speaker, on a point of order: Our spokesperson for this bill is the member for Grey. He has a bad cold today and he's not here. Could we set aside his time, the hour and a half, for tomorrow and let somebody else carry on for the half-hour today? We need unanimous consent for that.

The Acting Speaker: Do we have unanimous consent for the Progressive Conservative critic for the Ministry of Municipal Affairs to have an hour and a half? Agreed. Therefore, the critic for Municipal Affairs will have his hour and a half, if he so needs it. Further debate, to the Progressive Conservative Party for one half-hour.

Mrs Dianne Cunningham (London North): It is with some degree of—

Interjection: Disappointment.

Mrs Cunningham: No, I think probably concern, that I rise in the House this afternoon to speak to Bill 75. I say that because this has been a very long, difficult and demanding process for so many of the citizens of the city of London and the county of Middlesex and the surrounding townships.

I listened with interest as the member for Brant-Haldimand tabled many of the concerns he had with this process, and I also listened with interest as the member for Nepean talked about concerns he may have with regard to the process for the future.

I would like to remind so many of my colleagues in this House that this issue of annexation for the city of London has been one that has been discussed off and on, I think in fairness we can probably say for some 10 years, but probably had reached deliberations of some serious concern as many as six years ago and perhaps five years ago. But there have been efforts on behalf of the city of London and the county of Middlesex and the townships to reach some kind of agreement in the past two years. In my position of representing London North, I haven't really been party to those, but all of us have read with interest over the years the efforts on behalf of the elected representatives at the municipal level.

So I must say that at the time when this government became interested in solving this tremendous dilemma, it was without surprise that we noticed that it would probably have to take some different approach, because certainly the Liberal government that preceded it was not able to deal with this issue. I'm not certain what opportunities or what route I would have taken had I been in government, but all of us sat back with interest, including the citizens of London and Middlesex, as we wondered just how the process the minister chose to follow would work.

It's unprecedented in the province of Ontario, and I think the minister has reminded all of us that it's unprecedented because local governments could not come to some conclusion with regard to this issue of annexation for the city of London.

It would be nice to be able to stand today and criticize the process, because I think that is what people would expect me to do, but I didn't have an alternative to offer the minister on behalf of the city of London, and I don't believe that at that particular time the other members, for London South, for London Centre or from Middlesex county, had an alternative to offer the minister.

So I say as a member of the opposition at this time that I was supportive and that I wondered how the process would work. I expected that the government would listen and have an open, consultative process so that everyone could be heard. And I don't mean just listened to; I mean that some action could be taken with regard to the input they had.

There have been some criticisms around the appointment of an arbitrator. I would like to say at this point in time that I felt the arbitrator was given a tremendous responsibility. He's not elected and therefore not accountable. How does one choose an arbitrator when this process in the province of Ontario hasn't been followed before? I think it was probably with some degree of courage that the particular person who was asked—none of us knew about that; this was something that was the total responsibility of the government—took on his role.

There was a very short period of time, and there was a lot of consultation, some agree positive and some agree not so positive. I personally was watching with interest and was pleased when the minister took the time to call the public hearings in London. I would have been much happier had it been a standing committee of the Legislative Assembly, but because of the negotiations that took place as we tried to adjourn for the summer months—I will be

somewhat critical of the government. I feel that both the official opposition and ourselves did want public hearings in the summer, preferably late summer, so that we all, those of us who are elected, from all parties, would have been able to sit on that committee and hear the citizens for ourselves.

I think there was a lot to be gained in that process. Quite simply put, some of the fears of this Legislative Assembly are that this process could be used again, and in that regard, it would have been most important that those who foresaw that challenge in their communities in the very near future would have learned a lot about the process and could have advised the government first hand otherwise. I'm disappointed that we didn't have an all-party committee in the summer, but I will say that the minister did have successful hearings for two days in the month of September and that he did take the time to go to London and to listen.

1740

There were many concerns raised at that particular point in time. I'd like to speak to those and at the same time make some remarks on the position the arbitrator took. I was extremely surprised—and I will say this, as I represent the city of London today—at the size of the annexation. I felt personally, and on behalf of the citizens I represent, certainly from within the city but many who have felt I could speak on their behalf from the county of Middlesex, that this is truly a very large annexation.

It increases the city by annexing some 26,000 hectares, over 64,000 acres, of surrounding land and making it about 80% the size of Metropolitan Toronto. This plan is to take place on January 1. The size has been of some concern, since London will triple in size, to many members of the city as well as the county, but the problem with negotiating beyond that was that the minister did say he would accept without change the recommendations of the arbitrator.

I think it was at significant risk that any minister makes that statement, especially when this whole process of arbitration had in fact been used for the first time. We have seen some changes and we're looking forward to the amendments the government will put forth as this bill moves from second reading into public committee hearings at this Legislative Assembly in the very near future, I believe some time within the next two weeks. I did want to remark on the size of the annexation and there's a reason for my doing that.

The other issue I felt I would never want to see repeated at any time, I don't think it's the role of an arbitrator—but I do feel that the guidelines he was given were particularly vague on the subject—to make changes in the structure of any municipal council or facility that is attached to it. I'm speaking directly of the public utilities commission. I feel that those people were elected and should have been allowed to finish their terms. I've made my opinions known to the minister as well as to the mayor of the city of London. Having said that, I hope that would never happen again.

We now seem to have some consensus around that issue. There are positive recommendations as to how that utility will be managed by the city council, the structure of

which we're not sure. We're again waiting to see if the minister has responded to any of the input with regard to the hearings in London that took place at the end of September.

I suppose the third point I would like to make with regard to the annexation is my total confusion around the purpose of any buffer zone. Again I'm speaking on behalf of the citizens both from the city of London and from Middlesex county who wrote to me and asked me to put their positions forward. These seem to be the tremendous concerns that the citizens have.

I think it is my job again if there is any better plan to help the citizens along in that regard and so I hope I have been able to open some doors. It's my understanding that there are still some ongoing discussions between municipalities and the city of London.

I will say at this point that in my opinion the government will probably not make any substantive change to the bill and, therefore, it's our responsibility to get on with this annexation process in a positive way, in the best way we can.

I think the good news is this, if I can reflect on it for just a few minutes: There was a reason for the city of London asking for annexed property, a larger area of land, so that some planning could take place that had never been allowed to happen probably in the last decade in many areas.

I can tell you, as a former school board trustee who sat on the former planning board of the city of London at a time when the member for Brant-Haldimand had a very important position in Middlesex county as its chief executive officer, if I can put it that way—he will know that there was some very serious planning the city ought to have done but really wasn't in a position to do because if it did, it always looked like it was stepping on the toes of its neighbours.

I think he would agree with me in that regard, that it's very difficult when annexation is the first word on the end of your tongue every time you try to talk about the environment; every time you try to talk about the planning of roads; when you start talking about the expansion or the reduction of school boards, which happens to be a topic in the province; when you start talking about waste management, and when we take a look at the expense of the environmental assessments. We always seem to be stepping on each other's toes.

One thing we have had in the city of London, the county of Middlesex and the township is, I think, a great working relationship over the years. I hope that at the end of this process that will remain because it's not only in the interests of the citizens of London, or now we probably will be saying the greater London area, that we remain colleagues and friends and good communicators, especially in the area of total planning, but it's in the best interests of the citizens whom we serve.

In southwest Ontario at this very time, just today, we heard of yet another plant closing, Campbell Soup, which in fact will lay off numbers of employees. We have been subjected to this tremendous insult over the last few months and perhaps years as we see industry picking up

and leaving at a time when we think southwest Ontario ought to be attracting industry, attracting business and attracting people to live within this fantastic city that we live in now and the surrounding countryside that has been such an asset to the citizens of London.

I think I can speak on behalf of many families who would say that there wouldn't be more than a 10-minute drive from our very core in any direction to go into the surrounding countryside with all of the agriculture and the farm land and the friendliness of the small towns and villages that have offered us such a tremendous asset as we work together as neighbours.

I think we have to look at ourselves as being one of the more positive areas in the province of Ontario. As we look to industries locating in our expanded city, as we look to ourselves with our vast farm lands and our active city that has offered so much to the citizens, we have to say that we really do need stability. At the end of these discussions, no matter what happens, I hope that we can underline the words "stability" and "working together," because, if ever before, we really must get on with the whole business of planning.

We need to plan around our environmental concerns. There were many issues raised with regard to the environment and this bill. We're expecting at least two or three amendments to meet the needs of the environmentalists as they presented to us at the end of the month of September.

In the area of waste management, we need to do more planning. We have to talk openly about the impact of this legislation with regard to Westminster and with regard to any other plans that the city might have in the area of waste management. We're looking forward to those public hearings so that both the municipality and the surrounding townships can tell us to what degree the new amendments will improve upon the concerns that they had.

We need to do more planning around the airport. For those members of the House who aren't aware, the city of London does attract many visitors and the airport is a very busy place. We're looking for expansion so that we in fact can be a city that's totally accessible by way of air, both south of the border and to other parts of Canada.

We are looking for recognition with regard to the marvellous health care facilities we have. We know that we need to do even more planning when it comes to meeting the needs of the surrounding southwest Ontario areas in joint planning with our health council as we look to some very serious discussions around health care now we know that we'll have a greater responsibility as the city grows in size and population.

Right now I think one of the most eminent concerns is that of school boards. It's my understanding that both the London Board of Education and the Middlesex County Board of Education and their chairpersons met today to begin discussing the issues of boundaries and taxes and just what that will mean to education with regard to the city of London probably acquiring as many as three schools from within the recommended boundaries as they sit today.

1750

I know we have to move on the whole area of technology as we look at ourselves as a city that attracts the business community; as we look at ourselves with the colleges, the universities and the school systems we have; the industry and business and the training institutions as we work together with the labour community, which had significant input to this legislation. We know Ontario is counting on us to get on with the planning and to make certain that we can be a leader in the area of technological development as we contribute to the rest of Ontario and Canada.

It's with some degree of anxiety that I stand here today. I am anxious to see the amendments as a result of the public hearings in London. I will tell the members of the House that for the citizens who are employed by any of the agencies that are affected by this annexation, it has been made very public that there will be no job losses for the employees. I say that especially for the employees at the public utilities commission. We will wait to see just what will happen with the amendments two weeks from now, and at that time I hope to be a member of that committee to put forth amendments where I see fit, if the government hasn't done so.

I'd like to take this opportunity to say to the government that it's extremely important that the joint committee that has been recommended and that is working together—to see that this annexation and all the challenges that go with it are treated with respect for people's input, so that we have a smooth transition process. Those meetings are taking place right now.

It seems to me that Middlesex county seems to be eager to use London's landfill site, and that's going to have to be discussed.

It seems to me that there are other issues. We read the headlines of the paper this week that the annexation deal could include a tax holiday. Everybody looked at that with some degree of glee, because of course there are expenses involved with this. We've been reassured that the city taxes will not go up more than approximately 1.2%. We're also reminded that we can get more information than that at the upcoming committee hearings, because that didn't take into consideration all the services or the increased services that the city will have to take on, such as fire and police.

It's been a very challenging process. It's been one that I thought was met with a great deal of professionalism on behalf of the arbitrator, and I congratulate him for taking on this significant task. I also would like to say that nobody could have been more proud than myself on September 24 and September 25, as so many interested citizens made their presentations before the committee that the minister and my colleague the member for London Centre, my colleague the member for London South and my colleague the member for Middlesex shared. There were many subjects discussed. There were many recommendations for change and I think it now is the responsibility of the government to come forth with those. I look forward to the hearings in a couple of weeks.

The Acting Speaker: Questions and/or comments?

Mr Bernard Grandmaître (Ottawa East): I enjoyed the remarks of the member for London North, but she mentioned that the former government couldn't resolve the differences in London. I want to remind her that it was only in 1988 that the city of London launched an annexation claim. That former government, that previous government, the Tory government took 37 years to resolve its Sarnia problem. I don't think that taking four years to resolve the London situation was all that bad.

I think the arbitrator who took on the task of reviewing the London-Middlesex situation was very much aware of his mandate. It was a very precise mandate, "Go out there and do it and I will accept all of your recommendations." Mr Brant has no excuse whatsoever to say, "Look, you know, I had a job to do." He had a job to do and he did it for the minister. In other words, he was the hatchet man for the minister. I can't excuse Mr Brant. He had a job to do and he knew exactly what he was getting involved in. I don't think there is another annexation in this province of Ontario that you can compare to what's happening in London-Middlesex.

The Acting Speaker: Thank you. Further questions and/or comments?

Mr McLean: I want to comment on the remarks the member for London North has made here today. There are two very important items within the announcement and the speech she made. It had to do with planning and the environment.

It's interesting when we look at the annexation that's taken place around London and at the restructuring that's taken place in Simcoe county. Can anybody tell me of any planning that was done ahead of time to determine where the line should be drawn, which municipalities should be amalgamated and which municipalities should be left out? There's been none.

I would have thought that the planning process would be the number one priority of this government, to make sure that things were in place. We have Mr Sewell now running around the province listening to and talking to people. He even indicated that he wanted to do away with septic tanks in rural Ontario. Well, how could you do that? We have Mr Martin, his friend, who is doing the same thing.

When we look at the planning process that's gone on with regard to annexations, there has been none. We have the annexation that took place in south Simcoe. Now they want to change some of the boundaries, because they realized it wasn't right. London-Middlesex is going to run into the very same problem.

Can you imagine an arbitrator coming in and they wanted to give 25,000 and the arbitrator says, "We'll give you 64,000," with no planning to indicate how it happened? This ministry is out to lunch when it wants to look at the aspects of how county planning is done and how annexations are done.

Then the environment is all part of the planning process. Are there lakes around London? Are there lakes in Middlesex? I know there is Orr Lake in the county of Simcoe, and there is Lake Simcoe, Lake Couchiching, and

we have the border between Tiny and Midland. It just doesn't make any sense at all.

When we look at the consultation process, we don't have any and we don't have any planning process. Their priorities are all wrong.

The Acting Speaker: Further question and/or comments?

Mrs Irene Mathyssen (Middlesex): I will be very brief. The member opposite raised a question regarding education and the problems that the Middlesex County Board of Education is going to experience because of this annexation. I think it's important for members of this House to understand that the Middlesex County Board of Education provides a very unique service for our children and for the county of Middlesex, inasmuch as it provides the kind of education that is geared for rural students and meets their needs in a remarkable way. In point of fact, we have had award winners, students who have demonstrated great skill and who have scored very high in national tests, so very clearly it's a board that has provided the kind of education that our children need to take their place in Ontario society.

Unfortunately, the proposal that's before us, Bill 75, will seriously hamper the Middlesex board of education inasmuch as 35% of the tax base on which it depends will be gone, lost through this annexation. Certainly, there are grants. The board will have the usual grants, but the reality is that 35% of the assessment is significant. We have serious concerns about whether our children will continue to receive that excellent quality of education that we've come to expect and appreciate from the Middlesex board.

This is something I'm very glad the member opposite has raised, and I think it's something we must pursue diligently and with concern in the next days and certainly at the committee level.

I would like to thank the member for raising the issue. I look forward to hearing from other members of this House about the concerns they have and that I have about Bill 75 and this annexation.

The Acting Speaker: Thank you. We can accommodate one final participant. Seeing none, the honourable member for London North has two minutes in response.

Mrs Cunningham: I wouldn't want anyone in this House to think this had been thought up at the last moment. In response to the member for Ottawa East, I would say the official advertisement that was published for annexation, with regard to the city of London's application, did take place in 1988, when the Liberals were in government and when the member for Middlesex was also a Liberal. It seems to me that it was in the hands and the responsibility of that particular government and it didn't act on it.

I think my comments were correct when I said it wasn't dealt with by the Liberal government. I would also say, so that no one has any misunderstanding, that the annexation plans, for specific reasons, were fully laid out as a growth strategy in the city's official plan, 1971-91, which was duly published with the province of Ontario and certainly with the citizens of London—the county of Middlesex was very much aware of. I of course had to

work within the limitations of that official plan and was on the planning board for a number of years as we developed it. Annexation had been planned for by the city some 10 years after the previous annexation in 1961, so this is not news. I think I'd like to deal with facts, although with regard to my mixed feelings.

The member for Middlesex, I thank you for raising the issue of education. I know that if either of us has a top priority right now, it's the quality of education in our schools. I don't think, though, in fairness, that we're going

to be concerned about the quality, because I think both boards do a wonderful job with the students. But I do think the concern will be just how we finance this education. I wish the boards the best and offer my services where possible.

The Acting Speaker: Thank you. It now being past 6 o'clock, this House stands adjourned until tomorrow, Tuesday, October 20, at 1:30.

The House adjourned at 1803.

**LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

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Sergeant at Arms/Sergent d'armes: Thomas Stelling

Constituency	Name of member	Party	Other responsibilities
Algoma	Wildman, Hon/L'hon Bud	ND	Minister of Natural Resources, minister responsible for native affairs/ministre des Richesses naturelles, ministre délégué aux Affaires autochtones
Algoma-Manitoulin	Brown, Michael A.	L	Chair, standing committee on general government/ Président du Comité permanent des affaires gouvernementales
Beaches-Woodbine	Lankin, Hon/L'hon Frances	ND	Minister of Health, minister responsible for the substance abuse strategy/ministre de la Santé, ministre responsable de la Stratégie de prévention de la toxicomanie
Brampton North/-Nord	McClelland, Carman	L	Vice-Chair, standing committee on general government/ Vice-Président du Comité permanent des affaires gouvernementales
Brampton South/-Sud	Callahan, Robert V.	L	
Brant-Haldimand	Eddy, Ron	L	
Brantford	Ward, Brad	ND	parliamentary assistant to Minister of Industry, Trade and Technology/adjoint parlementaire du ministre de l'Industrie, du Commerce et de la Technologie
Bruce	Elston, Murray J.	L	opposition House leader/ chef parlementaire de l'opposition
Burlington South/-Sud	Jackson, Cameron	PC	Chair, standing committee on estimates/ Président du Comité permanent des budgets des dépenses
Cambridge	Farnan, Mike	ND	Vice-Chair, standing committee on the Legislative Assembly/ Vice-Président du Comité permanent de l'Assemblée législative
Carleton	Sterling, Norman W.	PC	
Carleton East/-Est	Morin, Gilles E.	L	Deputy Speaker and Chair of the Committee of the Whole House/ Vice-Président et Président du Comité plénier de l'Assemblée législative
Chatham-Kent	Hope, Randy R.	ND	parliamentary assistant to Minister of Community and Social Services/adjoint parlementaire du ministre des Services sociaux et communautaires
Cochrane North/-Nord	Wood, Len	ND	parliamentary assistant to Minister of Natural Resources/ adjoint parlementaire du ministre des Richesses naturelles
Cochrane South/-Sud	Bisson, Gilles	ND	parliamentary assistant to Minister of Northern Development and Mines, parliamentary assistant to minister responsible for francophone affairs/adjoint parlementaire de la ministre du Développement du Nord et des Mines, adjoint parlementaire du ministre délégué aux Affaires francophones
Cornwall	Cleary, John C.	L	
Don Mills	Ward, Margery	ND	parliamentary assistant to Minister of Government Services/ adjointe parlementaire du ministre des Services gouvernementaux
Dovercourt	Silipo, Hon/L'hon Tony	ND	Minister of Education/ministre de l'Éducation
Downsview	Perruzza, Anthony	ND	parliamentary assistant to minister responsible for the greater Toronto area/adjoint parlementaire de la ministre responsable du Bureau de la région du grand Toronto
Dufferin-Peel	Tilson, David	PC	
Durham Centre/-Centre	White, Drummond	ND	Chair, standing committee on regulations and private bills/ Président du Comité permanent des règlements et des projets de loi privés
Durham East/-Est	Mills, Gord	ND	parliamentary assistant to Minister of Municipal Affairs/ adjoint parlementaire du ministre des Affaires municipales
Durham West/-Ouest	Wiseman, Jim	ND	parliamentary assistant to Minister of Revenue/ adjoint parlementaire de la ministre du Revenu
Durham-York	O'Connor, Lawrence	ND	parliamentary assistant to minister responsible for the substance abuse strategy/adjoint parlementaire de la ministre responsable de la Stratégie de prévention de la toxicomanie
Eglinton	Poole, Dianne	L	
Elgin	North, Hon/L'hon Peter	ND	Minister of Tourism and Recreation/ ministre du Tourisme et des Loisirs
Essex-Kent	Hayes, Pat	ND	parliamentary assistant to Minister of Agriculture and Food/ adjoint parlementaire du ministre de l'Agriculture et de l'Alimentation
Essex South/-Sud	Mancini, Remo	L	Chair, standing committee on public accounts/ Président du Comité permanent des comptes publics

Constituency	Name of member	Party	Other responsibilities
Etobicoke-Lakeshore	Grier, Hon/L'hon Ruth A.	ND	Minister of the Environment, minister responsible for the greater Toronto area/ministre de l'Environnement, ministre responsable du Bureau de la région du grand Toronto
Etobicoke-Humber	Henderson, D. James	L	
Etobicoke-Rexdale	Philip, Hon/L'hon Ed	ND	Minister of Industry, Trade and Technology/ ministre de l'Industrie, du Commerce et de la Technologie
Etobicoke West/-Ouest	Stockwell, Chris	PC	
Fort William	McLeod, Lyn	L	Leader of the Opposition/chef de l'opposition
Fort York	Marchese, Rosario	ND	parliamentary assistant to the Premier, parliamentary assistant to Minister of Intergovernmental Affairs/adjoint parlementaire du premier ministre, adjoint parlementaire du ministre des Affaires intergouvernementales
Frontenac-Addington	Wilson, Hon/L'hon Fred	ND	Minister of Government Services/ ministre des Services gouvernementaux
Grey	Murdoch, Bill	PC	
Guelph	Fletcher, Derek	ND	parliamentary assistant to Minister of Consumer and Commercial Relations/adjoint parlementaire de la ministre de la Consommation et du Commerce
Halton Centre/-Centre	Sullivan, Barbara	L	
Halton North/-Nord	Duignan, Noel	ND	Chair, standing committee on the Legislative Assembly/ Président du Comité permanent de l'Assemblée législative
Hamilton Centre/-Centre	Christopherson, Hon/L'hon David	ND	Minister of Correctional Services/ministre des Services correctionnels
Hamilton East/-Est	Mackenzie, Hon/L'hon Bob	ND	Minister of Labour/ministre du Travail
Hamilton Mountain	Charlton, Hon/L'hon Brian	ND	Minister of Financial Institutions, Minister of Energy/ ministre des Institutions financières, ministre de l'Énergie
Hamilton West/-Ouest	Allen, Hon/L'hon Richard	ND	Minister of Colleges and Universities, Minister of Skills Development/ministre des Collèges et Universités, ministre de la Formation professionnelle
Hastings-Peterborough	Buchanan, Hon/L'hon Elmer	ND	Minister of Agriculture and Food/ ministre de l'Agriculture et de l'Alimentation
High Park-Swansea	Ziemba, Hon/L'hon Elaine	ND	Minister of Citizenship, minister responsible for human rights, disability issues, seniors' issues and race relations/ministre des Affaires civiques, ministre déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales
Huron	Klopp, Paul	ND	parliamentary assistant to Minister of Agriculture and Food/ adjoint parlementaire du ministre de l'Agriculture et de l'Alimentation
Kenora	Miclash, Frank	L	opposition deputy whip/whip adjoint de l'opposition
Kingston and The Islands/ Kingston et Les Îles	Wilson, Gary	ND	parliamentary assistant to Minister for Skills Development/ adjoint parlementaire du ministre de la Formation professionnelle
Kitchener	Ferguson, Will	ND	parliamentary assistant to Minister of Transportation/ adjoint parlementaire du ministre des Transports
Kitchener-Wilmot	Cooper, Mike	ND	parliamentary assistant to the Solicitor General; deputy government whip; Chair, standing committee on administration of justice/ adjoint parlementaire du Solliciteur général, whip adjoint du gouvernement, Président du Comité permanent de l'administration de la justice
Lake Nipigon/Lac-Nipigon	Pouliot, Hon/L'hon Gilles	ND	Minister of Transportation, minister responsible for francophone affairs/ministre des Transports, ministre délégué aux Affaires francophones
Lambton	MacKinnon, Ellen	ND	Vice-Chair, standing committee on regulations and private bills/ Vice-Présidente du Comité permanent des règlements et des projets de loi privés
Lanark-Renfrew	Jordan, W. Leo	PC	
Lawrence	Cordiano, Joseph	L	Vice-Chair, standing committee on public accounts/ Vice-Président du Comité permanent des comptes publics
Leeds-Grenville	Runciman, Robert W.	PC	Chair, standing committee on government agencies/ Président du Comité permanent des organismes gouvernementaux
Lincoln	Hansen, Ron	ND	Chair, standing committee on finance and economic affairs/ Président du Comité permanent des finances et des affaires économiques
London Centre/-Centre	Boyd, Hon/L'hon Marion	ND	Minister of Community and Social Services, minister responsible for women's issues/ministre des Services sociaux et communautaires, ministre déléguée à la Condition féminine
London North/-Nord	Cunningham, Dianne	PC	Progressive Conservative chief whip/ whip en chef du Parti progressiste-conservateur
London South/-Sud	Wininger, David	ND	parliamentary assistant to the Attorney General, parliamentary assistant to minister responsible for native affairs/ adjoint parlementaire du Procureur général, adjoint parlementaire du ministre délégué aux Affaires autochtones

Constituency	Name of member	Party	Other responsibilities
Markham	Cousens, W. Donald	PC	Progressive Conservative deputy House leader/ chef parlementaire adjoint du Parti progressiste-conservateur parliamentary assistant to Minister of the Environment/ adjointe parlementaire de la ministre de l'Environnement
Middlesex	Mathysen, Irene	ND	
Mississauga East/-Est	Sola, John	L	
Mississauga North/-Nord	Offer, Steven	L	Vice-Chair, standing committee on estimates/ Vice-Présidente du Comité permanent des budgets des dépenses opposition chief whip/whip en chef de l'opposition parliamentary assistant to Minister of Tourism and Recreation/ adjoint parlementaire du ministre du Tourisme et des Loisirs
Mississauga South/-Sud	Marland, Margaret	PC	
Mississauga West/-Ouest	Mahoney, Steven W.	L	
Muskoka-Georgian Bay	Waters, Daniel	ND	Vice-Chair, standing committee on social development/ Vice-Président du Comité permanent des affaires sociales parliamentary assistant to Minister of Housing/ adjointe parlementaire de la ministre du Logement
Nepean	Daigeler, Hans	L	
Niagara Falls	Harrington, Margaret H.	ND	
Niagara South/-Sud	Coppen, Hon/L'hon Shirley	ND	Minister without Portfolio, chief government whip/ ministre sans portefeuille, whip en chef du gouvernement Deputy Premier, Treasurer of Ontario and Minister of Economics/ vice-premier ministre, Trésorier de l'Ontario et ministre de l'Économie
Nickel Belt	Laughren, Hon/L'hon Floyd	ND	
Nipissing	Harris, Michael	PC	
Norfolk	Jamison, Norm	ND	leader of the Progressive Conservative Party/ chef du Parti progressiste-conservateur parliamentary assistant to Minister of Industry, Trade and Technology/du ministre de l'Industrie, du Commerce et de la Technologie
Northumberland	Fawcett, Joan M.	L	
Oakville South/-Sud	Carr, Gary	PC	
Oakwood	Rizzo, Tony	ND	Solicitor General/Solliciteur général Minister of Housing/ministre du Logement
Oriole	Caplan, Elinor	L	
Oshawa	Pilkey, Hon/L'hon Allan	ND	
Ottawa Centre/-Centre	Gigantes, Hon/L'hon Evelyn	ND	parliamentary assistant to Minister of Colleges and Universities; Vice-Chair, standing committee on finance and economic affairs/ Vice-Président du Comité permanent des finances et des affaires économiques, adjoint parlementaire du ministre des Collèges et Universités
Ottawa East/-Est	Grandmaître, Bernard C.	L	
Ottawa-Rideau	O'Neill, Yvonne	L	
Ottawa South/-Sud	McGuinty, Dalton J.P.	L	Progressive Conservative House leader/ chef parlementaire du Parti progressiste-conservateur Minister of Culture and Communications/ ministre de la Culture et des Communications parliamentary assistant to Minister of Citizenship/ adjointe parlementaire de la ministre des Affaires civiques
Ottawa West/-Ouest	Chiarelli, Robert	L	
Oxford	Sutherland, Kimble	ND	
Parkdale	Ruprecht, Tony	L	Minister of Revenue/ministre du Revenu
Parry Sound	Eves, Ernie	PC	
Perth	Haslam, Hon/L'hon Karen	ND	
Peterborough	Carter, Jenny	ND	parliamentary assistant to the Treasurer of Ontario and Minister of Economics/adjoint parlementaire du Trésorier de l'Ontario et du ministre de l'Économie
Port Arthur	Wark-Martyn, Hon/L'hon Shelley	ND	
Prescott and Russell/ Prescott et Russell	Poirier, Jean	L	
Prince Edward-Lennox-South Hastings/ Prince-Edward- Lennox-Hastings-Sud	Johnson, Paul R.	ND	Attorney General/Procureur général Deputy Leader of the Opposition/chef adjoint de l'opposition Minister of Consumer and Commercial Relations/ ministre de la Consommation et du Commerce
Quinte	O'Neil, Hugh P.	L	
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Renfrew North/-Nord	Conway, Sean G.	L	Second Deputy Chair of the Committee of the Whole House/ Deuxième Vice-Président du Comité plénier de l'Assemblée législative
Riverdale	Churley, Hon/L'hon Marilyn	ND	
S-D-G & East Grenville/ S.-D.-G. & Grenville-Est	Villeneuve, Noble	PC	
St Andrew-St Patrick	Akande, Zanana	ND	parliamentary assistant to the Premier/adjoint parlementaire du premier ministre opposition deputy House leader/chef parlementaire de l'opposition government whip; Vice-Chair, standing committee on the Ombudsman/ whip du gouvernement, Vice-Présidente du Comité permanent de l'ombudsman
St Catharines	Bradley, James J.	L	
St. Catharines-Brock	Haeck, Christel	ND	
St. George-St. David	Vacant		

Constituency	Name of member	Party	Other responsibilities
Sarnia	Huget, Bob	ND	parliamentary assistant to Minister of Energy; Vice-Chair, standing committee on resources development/ adjoint parlementaire du ministre de l'Énergie, Vice-Président du Comité permanent du développement des ressources
Sault Ste Marie/ Sault-Sainte-Marie	Martin, Tony	ND	parliamentary assistant to Minister of Education/ adjoint parlementaire du ministre de l'Éducation
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Scarborough Centre/-Centre	Owens, Stephen	ND	parliamentary assistant to Minister of Financial Institutions/ adjoint parlementaire du ministre des Institutions financières
Scarborough East/-Est	Frankford, Robert	ND	
Scarborough-Ellesmere	Warner, Hon/L'hon David	ND	Speaker/Président
Scarborough North/-Nord	Curling, Alvin	L	opposition deputy whip/whip adjoint de l'opposition
Scarborough West/-Ouest	Swarbrick, Anne	ND	
Simcoe Centre/-Centre	Wessenger, Paul	ND	parliamentary assistant to Minister of Health/ adjoint parlementaire de la ministre de la Santé
Simcoe East/-Est	McLean, Allan K.	PC	Vice-Chair, standing committee on government agencies/ Vice-Président du Comité permanent des organismes gouvernementaux
Simcoe West/-Ouest	Wilson, Jim	PC	
Sudbury	Murdock, Sharon	ND	parliamentary assistant to Minister of Labour/ adjointe parlementaire du ministre du Travail
Sudbury East/-Est	Martel, Hon/L'hon Shelley	ND	Minister of Northern Development and Mines/ ministre du Développement du Nord et des Mines
Timiskaming	Ramsay, David	L	
Victoria-Haliburton	Drainville, Dennis	ND	First Deputy Chair of the Committee of the Whole House/ Premier Vice-Président du Comité plénier de l'Assemblée législative
Waterloo North/-Nord	Witmer, Elizabeth	PC	
Welland-Thorold	Kormos, Peter	ND	Chair, standing committee on resources development/ Président du Comité permanent du développement des ressources
Wellington	Arnott, Ted	PC	
Wentworth East/-Est	Morrow, Mark	ND	Chair, standing committee on the Ombudsman; Vice-Chair, standing committee on administration of justice/ Président du Comité permanent de l'ombudsman, Vice-Président du Comité permanent de l'administration de la justice
Wentworth North/-Nord	Abel, Donald	ND	government whip/whip du gouvernement
Willowdale	Harnick, Charles	PC	
Wilson Heights	Kwinter, Monte	L	
Windsor-Riverside	Cooke, Hon/L'hon David	ND	Minister of Municipal Affairs, Chair of the Management Board of Cabinet and government House leader/ministre des Affaires municipales, président du Conseil de gestion du gouvernement, et chef parlementaire du gouvernement
Windsor-Sandwich	Dadamo, George	ND	parliamentary assistant to Minister of Culture and Communications/ adjoint parlementaire de la ministre de la Culture et des Communications
Windsor-Walkerville	Lessard, Wayne	ND	parliamentary assistant to Chair of the Management Board of Cabinet/adjoint parlementaire du président du Conseil de gestion du gouvernement
York Centre/-Centre	Sorbara, Gregory S.	L	
York East/-Est	Malkowski, Gary	ND	parliamentary assistant to Minister of Citizenship/ adjoint parlementaire de la ministre des Affaires civiques
York Mills	Turnbull, David	PC	Progressive Conservative whip/whip du Parti progressiste- conservateur
York North/-Nord	Beer, Charles	L	Chair, standing committee on social development/ Président du Comité permanent des affaires sociales
York South/-Sud	Rae, Hon/L'hon Bob	ND	Premier, President of the Executive Council, Minister of Intergovernmental Affairs/premier ministre, président du Conseil des ministres, ministre des Affaires gouvernementales
Yorkview	Mammoliti, George	ND	parliamentary assistant to Minister of Correctional Services/ adjoint parlementaire du ministre des Services correctionnels

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Vice-Chair/Vice-Président: Bob Huget
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Paul Klopp, Dalton J.P. McGuinty, Sharon Murdock, Steven Offer,
David Turnbull, Daniel Waters, Len Wood
Clerk pro tem/Greffier par intérim: Todd Decker

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Vice-Chair/Vice-Président: Hans Daigeler
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Irene Mathysen, Yvonne O'Neill, Stephen Owens, Drummond White,
Gary Wilson, Jim Wilson, Elizabeth Witmer
Clerk/Greffière: Lynn Mellor

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Legislative Assembly of Ontario

Second Session, 35th Parliament

Official Report of Debates (Hansard)

Tuesday 20 October 1992

Assemblée législative de l'Ontario

Deuxième session, 35^e législature

Journal des débats (Hansard)

Mardi 20 octobre 1992



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 20 October 1992

The House met at 1330.

Prayers.

The Speaker (Hon David Warner): Statements by members.

Mr Robert Chiarelli (Ottawa West): On a point of order, Mr Speaker: I don't think we have a quorum in the House.

Acting Clerk Assistant and Clerk of Committees (Ms Deborah Deller): Speaker, a quorum is not present.

The Speaker ordered the bells rung.

MEMBERS' STATEMENTS

WEEK OF THE CHILD

Mrs Joan M. Fawcett (Northumberland): This week the Association of Early Childhood Educators initiated its 13th annual Week of the Child. This is a tradition that was initiated by the association following the 1979 United Nations International Year of the Child.

This week serves as a reminder that we must always be responsive to the needs of children in our society. Children of today are our future—our future workers, parents and decision-makers of tomorrow's world. Children are in fact our most precious resource, and we always keep this knowledge uppermost in our minds.

The Week of the Child is a time within our communities across Ontario when we should reflect on the rights and needs of our children and renew our commitment to improve the quality of opportunities for all children and their families.

During the week communities across this province will be hosting workshops and seminars, displays in local malls, concerts and open houses in schools among many other activities. The weekend will bring early childhood educators from all over the province to Toronto to discuss issues that will promote the wellbeing of children.

We wish the Association of Early Childhood Educators all the best during the Week of the Child celebrations and throughout the year and commend it and its membership for the outstanding contribution they are making to early childhood education in Ontario.

MPP CHALLENGE RACE

Mr Bill Murdoch (Grey): You will remember that last summer I challenged all interested members to a stock car race at the Varney Speedway on Friday, July 24.

Fourteen members from all three parties accepted my invitation and competed in one of the two qualifying heats. The top eight finishers raced in the final run. All members drove WOW-class—women on wheels—vehicles, which are six-cylinder, automatic cars donated by the track's registered women members.

There were disappointments, of course, like the member for Brampton North, who qualified for the final run and then, because of engine trouble, was left at the post.

But on the whole it was a very successful evening, and I know most of the members really enjoyed themselves.

I would like to thank Tom Donnelly and Doreen Watson from the speedway, who organized the races and did so much to make everyone feel welcome, as well as Durham's mayor, Floyd Lawrence, and his council and surrounding councils for hosting a reception for us following the race.

I hope to see everyone who competed this year as well as other interested members next July 16 for the second Bill Murdoch Challenge Race, which I hope will be a yearly event.

In conclusion, I would like to congratulate the 1992 trophy winner, Chris Stockwell, MPP for Etobicoke West, and congratulate him on a race well driven.

Mr Larry O'Connor (Durham-York): I don't need to tell members that this House is a very partisan place. As members together, though, there are times when we work together, say in committee; but again, that's a very partisan place. There are occasions when we attend our colleagues' ridings, for example, to speak at an annual general meeting; of course, again that's a very partisan place.

But the member for Grey arranged a non-partisan event. It was an event held at the Varney Speedway which was an opportunity to show his constituents that yes, we as members of this Legislature can work together. Though it made you wonder whether we did have little partisan advantages at times, for example, when the seat broke on the back of the car that I was driving, with three laps to go. I managed to finish third hanging on to the doorpost and the steering wheel at the same time.

Driving at this event showed that there are times when we can be non-partisan. Perhaps this isn't the place we can be non-partisan, in this House, but I guess there are times we do come together. For example, with the referendum, the majority of this House has been coming out very supportive towards the Yes. That does happen from time to time.

As a member of the New Democratic caucus, I want to congratulate the member for inviting us. As all of us came there, and I don't know whether it was a setup or not, but at least I placed in the top three so that our caucus was well supported.

Mr Gerry Phillips (Scarborough-Agincourt): I wanted to comment on the race as well. I'll try not be overly partisan, but when we got to the track it was clear it was an NDP track. The whole thing turned to the left, and it was banked to turn to the left faster.

Then we got into the pits and it reminded me a little bit of the Legislature around here, where there were parts all over the place, people working to try to get things started, a lot of stuff not rolling along too well, and even when it did get rolling there were still parts in the pit.

Then when we got to the race itself, Mr Speaker, it reminded me a little bit of question period. You will

appreciate this, I think. We all got our helmets on and got in line to come out for question period and then the starter, a bit like you at question period, drops the green flag, we race around, bump into each other with a lot of noise and shouting. Finally we get to the end and, like you, Mr Speaker, the flagman drops the finish flag and we stop, and there we are back exactly where we started. That's sometimes how I feel here in question period, so it reminded me a little bit of the Legislature here.

The only disappointment to me was that Chris Stockwell and I had a little deal. He was supposed to allow me to finish first at the end, but he got a little confused and thought the checkered flag was the flag for the last lap and finished first, ahead of me. So I'll present the trophy to Chris Stockwell.

PROPERTY ASSESSMENT

Mr David Turnbull (York Mills): Metro's plan to base property taxation on 1988 so-called market values is the most serious threat to the existence of Toronto and North York's commercial and residential neighbourhoods since the Great Depression of the 1930s.

Temporary capping is designed to lull owners and tenants into thinking they do not need to worry. In reality, it is only to postpone the full impact. The fact that the artificially high boom year of 1988 was selected should be enough to throw the whole scheme out. But those whose focus is limited to the present are fighting for the few extra dollars this plan may put in their pockets for next year.

As the effects of market value assessment are felt, as stores close, as the value of homes drops and businesses leave, the tax burden will increase on all those left. A look at the tax impact on some of the commercial properties in my riding shows why we must fight this unfair location tax.

A gas station goes from \$45,000 to almost \$200,000. A small store has a 120% increase; a bank, 170%. These stories are repeated endlessly throughout the central core of Metro. No business can afford these massive taxes, not now and not in the future. The NDP once believed in saving jobs and neighbourhoods. It's time for them to get back to their grass roots. I call on Premier Bob Rae to refuse enabling legislation. Defeat MVA.

1340

ONTARIO SCIENCE CENTRE

Mr Gary Malkowski (York East): I rise today to make a statement on behalf of my neighbouring MPP in Don Mills, Margery Ward. Margery asked me to read this on her behalf because of the importance of science and technology to our school system and our future development as a province.

This week is Science and Technology Week, and it is only appropriate to recognize the Ontario Science Centre, which is located in Margery's riding of Don Mills.

The Ontario Science Centre was established by this Legislature in 1965 as Ontario's project celebrating Canada's centennial. Opening in 1969, the centre has educated and entertained more than 27 million visitors of all ages with interactive exhibits and programs.

Since 1990, new exhibits have included Mindworks, Matter Energy Change, Space, and the Challenger Learning Centre, as well as the return of the popular exhibit Sport. Currently, a major new exhibit is being developed called the Living Earth.

Programs at the centre provide a human link with the visitor. Almost a quarter of a million students participate in educational programs each year. Other programs include lectures, presentations and conferences. Weekend programs and children's summer camp are designed to open minds to science and technology.

As it approaches its 25th anniversary in 1994, it's most fitting for this House to acknowledge the Ontario Science Centre's international stature as a lifelong learning centre.

NORTH YORK GENERAL HOSPITAL

Mrs Elinor Caplan (Oriole): I rise in the House today to congratulate North York General Hospital, located in Oriole riding, as it celebrates its 25th anniversary year.

During this time of recession and severe economic constraint, North York General Hospital has been able to provide new facilities for child development and counselling services, day surgery facilities were expanded and inpatient services improved. A teen clinic was established to address the problems encountered by adolescents in the community, and a state-of-the-art electronic link now connects North York General Hospital with Sunnybrook Health Sciences Centre. This electronic link puts North York General Hospital at the leading edge of health science technology in the world.

Through continuous improvement processes in their organizational review and consultation with many groups in the community, North York General has become a leader in total quality management. Congratulations to the North York General Hospital board, its outstanding volunteer board, dedicated staff and excellent administration for their many successes, especially during these very difficult and challenging times. You should be most proud of yourselves, but the whole community is proud and thankful for your 25 years of outstanding service.

PUBLIC LIBRARY WEEK

Mr Gary Wilson (Kingston and The Islands): This is Public Library Week, and I'm pleased to say that the staff at the Kingston Public Library is marking it in some very creative ways.

There is an amnesty on fines and overdue material that is returned this week. Patrons celebrating library week in this way are given the opportunity of matching the library's generosity with a donation to the Partners in Mission Food Bank.

Tonight, Audrey Thomas, a pioneer in adult literacy in Canada, will be discussing this important topic at the central branch. Thursday night will see the inaugural meeting of a Friends of the Library group in Kingston. Its purpose will be to promote and enhance the services provided by the Kingston Public Library. Finally, there is a competition under way featuring submissions on how the library can save you money in hard times. There are prizes in both

adult and children categories, and entries will be accepted until the end of October.

These activities show how vibrant our public libraries can be. Thus, what better place to be challenged to think about food banks than in a library whose resources can be used to look for ways to put food banks out of business. Or think of the great issue of the day, the referendum; the library can help voters make up their minds about this question by providing them with the wording of the accord as well as a great variety of commentary. The library can also provide the historical context in which we can see the difficulties overcome in building this country since 1867 and before. In this way, we gain a deeper appreciation of the constructive nature of the Charlottetown accord.

Whether you are looking up the stats of the Blue Jays or are trying to decide Canada's future, the library is the one place to look. I know my colleagues join me in commemorating this essential service in our community.

ALEXANDER RUNCIMAN

Mr Norman W. Sterling (Carleton): My leader and some of my colleagues are absent from the Legislature today to attend the funeral of Alexander "Sandy" Runciman, who died Friday night at the age of 75. Sandy, as many of you may be aware, is the father of our fellow colleague Bob Runciman, the MPP for Leeds-Grenville.

Sandy was active in community life on many levels. His concerns covered a wide area, including industrial development, the health field, education, conservation, sports, politics and, very much, music. In fact, he had his own band for 20 years and played the saxophone, violin and bass viol.

Sandy played a major role in Brockville's industrial development. He was a founding member of the Cataraqui Region Conservation Authority. He helped establish St Lawrence College. He sat on the board of governors for the Brockville General Hospital for many years and was director of the children's aid society. As well, Sandy had a long and notable journalistic career with the Brockville Recorder and Times. In fact, he was the voice of the Brockville Recorder and Times for many years.

Many of my fellow members here will remember Sandy as a political adviser to some distinguished politicians: Jimmy Auld, Johnny Matheson, Tom Cossitt and, of course, his son Bob. Father and son have sat through more than one election campaign together, Sandy not only being a successful campaign manager and political adviser but a confident father and, most of all, a great friend to Bob Runciman.

Today I would like to extend my sincere condolences on behalf of all members of this Legislature to Sandy's wife, Thelma, their family and, of course, our colleague Bob Runciman.

The Speaker (Hon David Warner): Statements by ministers? It is time for oral questions and the member for Bruce.

Mr Murray J. Elston (Bruce): On a point of interest, Mr Speaker, which is always kind of hard to get by you. Is there a reason that the outdoor elements are coming into our chamber today?

The Speaker: I trust you're not referring to anything that's live. I realize that the temperature is a bit on the cool side in here. We have experienced a little heating problem. We are attending to it, and aside from the normal source of warmth in the chamber, I suspect we will soon have a chamber that is at the appropriate temperature.

PARLIAMENTARY PROCESS

Mr Murray J. Elston (Bruce): Before we get to question period, Mr Speaker, I have a point of order that I would like to raise with you. It revolves around our continuing saga with Bill 40, and on a matter of interest, some of the carryings-on with respect to the way in which the amendments have been dealt with in committee.

As you know, our standing orders, starting at section 67 and going fully through section 79, lay out the procedures by which bills are to progress through this place and in fact how they are to be amended and the manner in which certain things are done in the committee.

I have in particular probably, when it's all boiled down, two particular points of interest that I would like you to look into in relation to the manner in which this bill has been dealt with. It has nothing to do with the fact that a time allocation motion was put in effect by the government party under the new rules, which really prevent us from doing much extra work in the committees or even really performing our job of analysing bit by bit all the pieces of the legislation that we would want to. But it does have to do, in an indirect way, with the manner in which the business of tabling amendments and then voting on those amendments has been carried out in this place—in actual fact in the committees—in this Legislative Assembly.

First point—

Interjections.

1350

Mr Elston: If some people will let us carry on this little point of interest, the first point is this: There were nearly, I understand, 200 amendments brought forward to be dealt with in the Legislative Assembly's committee dealing with Bill 40. Because of the time allocation motion, it was deemed that our last day in that place would really comprise only about half an hour's time in which to deal with the votes on all of those amendments.

The time allocation motion which was presented by the government party and passed—over our great concern because it meant that we wouldn't be able to examine the amendments and the sections properly—really said that all the amendments would be deemed to have been moved in committee. It seems to me that this is one element which we can take, because the will of the majority of this place, the New Democrats, has said that it doesn't really matter whether or not we actually get to read those amendments as long as they deem them all to have been read into the record.

What concerns me is this: that when the vote was to be taken, the time allocation motion was silent on whether or not we should dispense with any of the other rules of procedure around this place in regard to taking the vote, namely, that when a piece of legislation is to be amended, it is the right of each member in this place to have the

amendment read to her or to him so that they know precisely what is to take place with respect to the vote. It is quite clear that none of us can do our business if we are unsure or if it is possible that something new can be put on the table to be considered and we are unaware of it.

I would like to read not all seven pages, but at least a couple of examples of how the conduct of our committee business carried on with regard to the last stages of Bill 40. Here is the dialogue—sorry, this is the script for the Chair of the committee:

“Shall section 1 of the bill carry? Shall section 2 of the bill carry? Shall section 3...?” and so on, until they come to an amendment. It says, “Shall section 6 of the bill carry?” Then it says, “Shall the deferred PC amendment to section 7(2)(4) carry?” without having any opportunity for the people to reacquaint themselves with the text of the amendment.

I’m sure it was a sound piece of work done by my colleagues sitting to the left, but far to my right, and I have to say that it really does take away from the business of this place to prevent the reading of the amendment in the committee when the vote is to be taken.

My view is, under the current—

Interjections.

The Speaker (Hon David Warner): Order.

Mr Elston: Some of these guys don’t want to listen, but it’s important business for us, Mr Speaker, so that we can do the will of the people.

Under the circumstances here, the people expect us to know exactly what we’re voting on, and there is nothing, in my view, in the time allocation motion which prevents the reading of each of those amendments as they are to be voted on. Yes, they’ve been deemed to be moved to make sure they don’t fail for being out of time—that’s fair; I have no problem with that—but each of us has the right to have the amendments read as we vote on them, and nothing in that time allocation motion takes away that right.

It is my view, therefore, that not only is it a bad piece of procedure; it is a piece of procedure which now cannot be perfected after the fact. It is, in my view, a nullity, and we therefore must reconstitute the committee to redo the votes with respect to the amendments which were pledged to be taken up in the Legislative Assembly.

I appreciate, Mr Speaker, that I’ve gone on long, but these are important pieces of information.

The second point is this: In our standing orders, and contained in the sections which I have enumerated for you, is a provision which says that if there are amendments to be filed during consideration of the bill in committee, there shall be, time permitting, a filing of those amendments with the clerk of that committee some two hours before the bill is to be considered.

Last week, late in the week, in fact, some 26 new amendments were brought forward by the government party at the last moment for consideration, without any of the two-hour notice, and it seems to me it really violated our opportunity to consider those amendments in their full sense.

From my point of view, not only were they filed late, but the fact that there remained only 30 minutes yesterday to deal with the balance of the amendments really precluded, by that late filing, any discussion of the texts of those amendments whatsoever. They, like every other of the amendments, were deemed to have been read in and then not even read when they were voted upon. It seems to me that likewise is a nullity as a result of the fact that it really does violate the spirit of our ability as members to do our work by seeing, by discussing, by questioning and then reporting.

I ask you, Mr Speaker, to look into those two issues: one, the late filing of those amendments, which really did preclude the opposition from doing any real work on those late amendments, and secondly, why or how it was that the committee felt it was in order to not even have read, prior to a vote being taken, any of those amendments as tabled.

Mr Speaker, I ask you to find that yesterday’s work was in essence a nullity and that it should be sent back to be perfected only by actually doing the work, as required by our standing orders, and that work, in my view, has not been compromised in any sense by the stringent provisions of that time allocation motion which those majority government people foisted upon us earlier in the year.

The Speaker: To the House leader for the official opposition: I appreciate the matter which he’s brought to my attention, both items, and while I am pleased to consider what he’s brought to my attention, I must note that the work of the committee was by the order of the House and that the very points which he raised might best have been raised in the committee itself.

However, having said that, I am pleased to consider what he’s brought to my attention. I realize it is a matter of importance to him and no doubt to other members as well.

It is time for oral questions and the member for Bruce.

Mr David Turnbull (York Mills): On the same point of order.

The Speaker: A point of order, the member for York Mills?

Mr Turnbull: Yes, on the same point of order: I too am concerned with the way in which this was handled in the respect that the government filed many of its amendments just a few hours before the end of committee hearings, which didn’t give us an opportunity to review them.

Additionally, the government committed, in a public announcement, that it was going to bring in certain amendments with respect to replacement workers. The amendments which were filed did not include that.

As a further comment I would add the following: I think, in view of the very serious situation we find ourselves in in this country today, where we have a referendum in a few days’ time, it would be appropriate not only that the clause-by-clause in committee hearings be extended, but in addition to that, that the hearings in the House of this very important matter, which affects everybody in Ontario, should be deferred until after the referendum.

The Speaker: To the member for York Mills, I believe that the items he’s brought to my attention are indeed what was brought to my attention by the member for

Bruce. As I stated to him, I'd be pleased to consider the matters, and I note, of course, that perhaps the member for York Mills would have been better served had he raised the matters in the committee, and that the actual sitting was at direction by the House. None the less, it's an important matter and I will be pleased to take a look at it.

It's time for oral questions.

Mr Ernie L. Eves (Parry Sound): Point of personal privilege, Mr Speaker.

The Speaker: Matter of privilege?

1400

MEMBER'S PRIVILEGE

Mr Ernie L. Eves (Parry Sound): Mr Speaker, if you would please bear with me, I feel that my privileges as a member have been infringed—and probably every member on this side of the House, at least, has had his or her privileges infringed—by a recent memo.

"Memo

"To: All MPPs

"From: Sharon Murdock, chair, personnel committee

"Subject: Stress management sessions

"As a follow-up to the stress management sessions held at caucus retreat, two sets of sessions on coping with stress will be provided this fall. Descriptions of the sessions are attached. Please note that each session consists of four two-hour sessions. To benefit most, you must commit to attend all four sessions in each program."

First session: "Coping with midterm stress, Mondays 8:30-10:30 am, November 2, 16, 23 and December 7."

Second session: "Chaos management and strategic planning."

For this government, I think that goes without saying.

"Wednesdays 6:30-8:30 pm, November 4, 18, 25 and December 9.

"Sign me up for: (please circle one) Coping with midterm stress or chaos management and strategic planning

"Member name

"If you plan to take part, return this form to Leslie Kerr in caucus services by Wednesday, October 21, 1992, by FAX."

I gather this was to go to all MPPs and I'd like to know why I didn't get one, and I'm sure a lot of members over here would like to know the same thing.

Hon David S. Cooke (Government House Leader): On a point of order, Mr Speaker.

The Speaker (Hon David Warner): On the same point of order?

Hon Mr Cooke: I am sure that the House leader for the third party could come, but I think he probably didn't get one because we know that therapy can't work miracles.

Interjections.

The Speaker: Order. I'm sure it's not related to my stress management. Perhaps we could start question period.

ORAL QUESTIONS

NUCLEAR POWER FACILITY

Mr Murray J. Elston (Bruce): I know we're just getting warmed up, but I'd like to ask a question of the Minister of Energy, with whom I've had some interesting dialogue from time to time.

I'd like to talk to him a little bit about the study of the Bruce A generating station and ask the minister what he meant to say with respect to the many months of work that was done already by a team of multi-sited Hydro people with respect to the study of the retubing and rehabilitation at Bruce A. Is he telling us that the studies that have been prepared by those people over several months are deficient, and in what sense are they so deficient?

Hon Brian A. Charlton (Minister of Energy): The member's question is an interesting one because the member makes the assumption, as he's made a number of times, that somehow because the Hydro board made a decision for further review, this minister has decided the studies were deficient or in some other way questioned.

The Hydro board made a decision that in its view the study in question did not answer all of their questions in terms of either the efficacy of proceeding at this time or the cost-effectiveness of doing so, and the Hydro board, of its own decision-making process, has decided to proceed with a further review—a much more extensive review, I might add.

Mr Elston: Everybody in the province of Ontario knows that this government passed Bill 118 to ensure that the Premier and the Minister of Energy could have their hands fully around the throats of every board of directors member that sits on the Hydro board.

I want the member to tell me what he intends to direct the Hydro board to do. Do you intend to have the Hydro board immediately convene a panel of its members to immediately begin the review of the detailed study work that has already been done inside Bruce A plant and which has already been publicly indicated to generate a reasonable return on any invested capital with a reasonably priced product?

Hon Mr Charlton: What the minister intends to do is neither of those things that the member opposite has suggested. In fact, what the minister intends to do is have Hydro and its board of directors make their own decisions about how this review should be conducted.

In the meantime, over the course of the six months while this review is under way, the minister intends to consult with Hydro and a number of other stakeholders in this province who've been having a dispute for a decade now about what the real costs are of refurbishing nuclear plants and retubing the reactors and their cost-effectiveness and to see that there's an independent public review that occurs of this study when it's completed.

Mr Elston: I'd like to ask the minister, then, if he is going to take six months to have the study reviewed by Hydro, can he tell us how long his public review of the result of that study will take and of what composition the review panel will be of that second study of the second study?

Hon Mr Charlton: Obviously the member, because he prepares his questions in advance, doesn't listen to answers. I just got through saying that during the course of the six months, while Ontario Hydro is reviewing the matter of the cost of retubing unit 2 at Bruce A, the minister will consult with Hydro and a number of other stakeholder groups out there in the real world as to which is the most acceptable process for that review. When we've made those decisions, we'll announce them publicly.

The Speaker (Hon David Warner): New question.

Mr Carman McClelland (Brampton North): Mr Speaker, I have a question for the Minister of the Environment and I'm wondering if, with your indulgence, I might stand it down until the third party has put its questions.

The Speaker: The minister is here. Would the member care to place his question now?

ACID GAS EMISSION CONTROL

Mr Carman McClelland (Brampton North): Minister, as you're taking your seat, I remind you, and obviously you need no reminder, that the Countdown Acid Rain program requires Hydro to make a significant cut in its sulphur dioxide and nitric oxide emissions. In a news release yesterday, referring to the capital restructuring or review of Ontario Hydro, it was stated that Hydro would review the timing of the installation of its fossil fuel emission controls on its thermal generating stations.

Minister, can you tell us if this review will affect Ontario Hydro's ability to meet its commitments under the Countdown Acid Rain program?

Hon Ruth A. Grier (Minister of the Environment): I'm certainly aware of the coverage in the press that the member has alluded to with respect to Hydro's plans. I've not had an opportunity to look at what's being proposed in detail and I can only assure the member that whatever proposals Hydro has my ministry will very carefully evaluate.

Mr McClelland: I appreciate your commitment to evaluate it, Minister, but there's something more at stake here and it's this: The issue at hand is, should Ontario Hydro choose to cut back on its emission controls, you will effectively be seeing the environment of Ontario being put at jeopardy in terms of acid rain. We know the devastating effect that has on this province and on the environment of this province; in addition to that, the cutting back of the capital cost measures. We know that the compliance will be out of whack.

We also know that there's a very real possibility and probability, in fact, that Ontario Hydro is going to have to purchase its power elsewhere, including sources such as coal-fired generation plants in the United States. The result of that is that the net effect on the environment in Ontario is compromised. So whether it happens by way of allowing Ontario Hydro to cut its capital costs in terms of emission controls or the result of deferment of capital expenditures that will provide adequate power resulting in the purchase of coal-generated energy Stateside, the result is increased acid emissions affecting the province of Ontario.

Minister, the question that I want to put to you in your capacity as Minister of the Environment is: What are you

doing to ensure, number one, compliance of Hydro and, secondly, the net effect of purchasing in the States is not visited upon the people in Ontario by way of acid emissions?

Hon Mrs Grier: I think the member well knows the support for me in my capacity as opposition critic and from this party for the Countdown Acid Rain program, and certainly our commitment and our satisfaction that the levels that were imposed by your government have been lived up to by the Big Four emitters.

I think the member in the preamble to his question is making a whole lot of suppositions about things that may or may not occur with which there is absolutely no actual facts or any realistic possibility of that happening. I can assure him that my commitment to the protection of the environment of this province is as it has always been: unwavering and unyielding.

1410

Mr McClelland: In response to my question, you say that there is very little possibility that will occur. I want you to review carefully your answer. The minister says that I'm speculating about what may happen. I'm not speculating about what may happen in terms of the question, Minister. The possibility exists. In fact, acid precipitation may increase as a result of a plan being contemplated by Hydro. That possibility exists. What are you going to do to ensure that does not happen?

Secondly, what are you going to do to ensure that Hydro, when the requirements down the road are such that Hydro has to go elsewhere to acquire the necessary energy for this province, doesn't, as a result of its cutting back now, do so in a manner that hurts the environment of Ontario? You're talking about that being speculative. If there's a possibility that exists—you just said in your answer that the possibility doesn't exist, so I'm asking you again to unequivocally say that possibility doesn't exist while you're on watch at the Ministry of the Environment. Because if that's what you're saying, the people of Ontario will want to know, then: What are you going to do, together with—

The Speaker (Hon David Warner): Would the member conclude his question, please.

Mr McClelland: —your colleague the Minister of Energy, to ensure that possibility doesn't come to pass?

Hon Mrs Grier: The member sets up a hypothetical possibility which he acknowledges we won't know for sure is going to happen but might happen, and then asks me to respond as to about what I'm going to do in the event that that happens. Let me repeat to the member: Our commitment to the Countdown Acid Rain program was one that we made in opposition and one that we have fully complied with, supported and encouraged in government. I see nothing in the information I have with respect to Hydro that would indicate any change in that position.

BUDGET

Mr Norman W. Sterling (Carleton): I have a question of the Treasurer. The Treasurer is no doubt aware that there have only been two previous claims over the past 30 years for the federal stabilization program and that when

those claims were made it took from three to four years of negotiation between federal and provincial officials to establish if the provinces qualified and what amounts would be paid. In one case they were refused and in the other case they were given 75% of what they had asked for.

Mr Treasurer, why do you continue to insist that a \$1.2-billion cheque is in the mail with regard to your claim on this fund?

Hon Floyd Laughren (Treasurer and Minister of Economics): The member opposite is correct that the previous two claims that were paid out to British Columbia and Alberta did take a longer length of time than the time allowed for in our fiscal plan. I would remind the member, however, that while those claims were both legitimate and deemed to be legitimate, they were much more complicated than is our claim. They dealt totally with resource revenues. Ours has to do with the entire purpose of the stabilization fund, which is that when there's a decline in economic activity and revenues fall as a result, the stabilization arrangements kick into place. Since the previous claims were honoured, the whole issue has been simplified, and I saw no reason, and continue to see no reason, why that claim could not be paid in this fiscal year.

Mr Sterling: In talking to several officials at the federal level with regard to this application, the Treasurer was described as being ambitious and naïve in his expectations. Mr Treasurer, are you really being naïve? Do you really believe that you're going to receive this money in this fiscal year?

Hon Mr Laughren: First, it is money to which we are fully entitled. Let's get that straight. We're entitled to that money in the province of Ontario.

Second, if there were not a per capita ceiling on the fiscalization arrangements, the claim would be much higher than it is. There is absolutely no reason for the federal government not to be able to make that payment this year.

If I could add as well, I was most unhappy with the leader of the third party, the boss of the member who just asked me that question, when he implied that we were going to Ottawa with our hand out and asking for a bailout. Absolutely nothing could be further from the truth. This is money to which we are fully entitled. The sooner the third party gets on side and supports us in our claim to that money, the better off we'll all be.

Mr Sterling: Talk about being naïve in terms of what his expectations are. I'd like to talk about being naïve in his revenue projections with regard to another item on page 81 of his budget for this year: the \$1.2 billion he is forecasting for the sale of assets.

We were told this morning by his officials that they have not made one sale yet. There are only five and a half months left out of 12. Mr Treasurer, when are you going to hold the fire sale? When are you going to have the sale? What items are being sold? Are there any deals that are going to be consummated before March 31 of this year? What are you offering for sale? Mr Treasurer, does anybody out there believe you are in fact going to hit the \$1.2 billion in

sales, when you haven't sold one asset in six and a half months and you've only got five and a half months left to do it?

Hon Mr Laughren: The member opposite makes a good point about a fire sale. If we had said, the minute we brought down the budget on April 30, "Now we've got to sell these assets in the next couple of months," it would in fact have been a fire sale. We are doing it methodically. We are searching the market assiduously and making sure we get a full return for any assets we sell.

Just because we haven't sold them in the first half of the year doesn't mean we won't sell them in the second half of the year, and I have every intention of achieving the targets in the budget. There would be nothing to gain for any government to lay out numbers—

Mr Chris Stockwell (Etobicoke West): You did it last year. You did exactly the same thing.

Hon Mr Laughren: No, we did not do it last year. There would be nothing to gain by putting out phoney numbers in terms of our revenues. We'd have to end up living with them at a later date. That would make no sense whatsoever. The member who asked the question should put out of his mind any conspiracy theory. There is none.

GOVERNMENT SPENDING

Mr Chris Stockwell (Etobicoke West): My question is to the Treasurer as well. My question regards a meeting of the district health councils that took place in Hamilton this weekend. I see I got the Solicitor General to wake up.

The question I have is that some 400 district health council officials gathered in Hamilton on the Thursday, Friday and Saturday of last week. Some thousands of dollars of taxpayers' money were spent on this particular meeting of 400 people, including, I assume, air flight for some, mileage for others, hotel rooms for two nights, food, drink—whatever. We know it's going to be in the hundreds of thousands of dollars. Considering these economic times, Mr Treasurer, couldn't some other process have been put in place that would have informed these people of the upcoming social changes in the Health department that wouldn't have cost the taxpayers so much money?

Hon Evelyn Gigantes (Minister of Housing): How much?

Mr Stockwell: The Minister of Housing would like to know how much. As far as we can see, it's at least \$100,000 of taxpayers' money. It would seem there's got to be some other method by which we could have asked these people to be informed about the upcoming year and what was on the plate for the Health ministry without spending potentially hundreds of thousands of taxpayers' dollars.

Hon Floyd Laughren (Treasurer and Minister of Economics): I appreciate the question, but I really would want more information about the conference. Without knowing all the details, I'd be foolish to speculate on whether or not the money was well spent.

However, it does seem to me that when we are making a very serious attempt, for the first time in many, many years, to control health care spending in this province, we

do need to get together with the people who deliver the health care system out there in the province and who have responsibility at the local level. I don't think that simply imposing decrees from on high is the answer; we want to involve our partners out there in the health care system so they are a part of our efforts to restructure and make the health care system more efficient and better.

1420

Mr Stockwell: It seems rather counterproductive, if that is your goal, to go about assembling these people in Hamilton at a huge cost to the taxpayers. The Minister of Housing doesn't seem to think hundreds of thousands of dollars of taxpayers' money is a huge amount of money. I think it is, considering that the member for Wellington stood up yesterday and spoke to you very sincerely, Mr Treasurer, about the developmental disability children in his riding who are being rolled back, who can't get government services because there's not enough money.

Yet there seems to be enough money to transport 400 people to Hamilton, put them up in a hotel, feed them, do all it takes for the weekend of meetings, to talk about the conference agenda: "conflict of interest issues," "media workshop," "models of health councils," "volunteer burn-out" and so on and so on.

You've got food banks opening up around this province like never before, more people out of work, unemployment people moving on to the welfare rolls; we need job creation; taxes have never been higher. And you seem to say that this kind of meeting in Hamilton of 400 people couldn't somehow have been circumvented by simply sending a troop around the province to meet with these on an individual basis. It would have cost considerably less than what it cost in Hamilton.

The Speaker (Hon David Warner): Would the member complete his question, please.

Mr Stockwell: Maybe your priorities need to be reviewed. Maybe you could look at it under that notion.

Hon Mr Laughren: We've said for some time now that we welcome all suggestions for containing expenditures in the province. We've said that to our employees and we've said it to the public at large, and I appreciate the suggestion from the member for Etobicoke West.

But I would remind him that we have in this province an approximately \$17-billion health care budget. We have made serious efforts; the Minister of Health has worked extremely hard to contain the growth in the health care system. You don't achieve the enormous savings she's already put in place in the health care system by simply going around and meeting with 400 people individually. There has to be an agreement among the people who are involved out there at the local level, the people who know, quite frankly, exactly what the priorities should be, community by community.

I will look into the matter further and talk to the Minister of Health, but I think it's not fair for the member for Etobicoke West to simply write off the beneficial aspects of such a conference.

Mr Stockwell: No one is disagreeing about setting the priorities of the government. No one is suggesting that you

can't set the priorities and outline those priorities to the people who are going to deliver them. Let's be clear to the Treasurer. No one is arguing that you have that right as a government. The question I have is how you choose to implement it.

You told us about the Comsoc-SkyDome fiasco some year or so ago, that these kinds of episodes wouldn't happen again. Mr Treasurer, it's hundreds of thousands of taxpayers' dollars, when we have food banks, when we've got financial constraints all round. Surely to goodness a comprehensive package, mailed out to these people, with someone who could travel and explain it, is a far more advantageous decision-making process than bringing 400 people to Hamilton.

Do you consider this kind of expenditure more important than feeding those people lining up at food banks?

Hon Mr Laughren: The member for Etobicoke West is putting the question in a most unfair way. One way we're going to be able to free up dollars to implement programs to which the member refers is by savings in the major programs such as health care. There's nothing magic about that. If the member opposite thinks that if we don't work very hard, well—a couple of members opposite are snorting.

Health care costs in this province were increasing at double-digit rates until this government came to office. This is the first government that has made any serious effort to control health care costs in this province while maintaining essential services at the same time, and we'll continue to do that.

WORKPLACE HEALTH AND SAFETY AGENCY

Mr Steven Offer (Mississauga North): In the absence of the Premier and the Minister of Labour, I would like to pose my question to the Deputy Premier.

Deputy Premier, you will know that the Workplace Health and Safety Agency is the agency created to set standards for certification under the Occupational Health and Safety Act. You will also be aware that it is made up of eight labour representatives and eight management representatives, each group having a vice-chair. You will also be aware that the agency has always operated on a consensual approach.

I have been informed that last week, on Thursday, a vote was forced upon the members in the area of certification standards. I understand that as a result of this forced vote, a number of resignations from the management component have either been submitted or are pending. My question to the Deputy Premier is this: Will you confirm today whether that has taken place, and will you undertake to look into this serious matter?

Hon Floyd Laughren (Deputy Premier): I am aware of the issue to which the member refers. It had to do with the legislation concerning the Occupational Health and Safety Act and an attempt by the agency to put in place training of joint health and safety workers, I believe.

I also believe that an agreement was reached at the board; that not everyone agreed with the decision that was made, but that indeed a majority agreement was reached by the agency and that there were some people who sit on

the board who were dissatisfied with the results of that agreement. As you know, it's a joint board, and there were some people unhappy with it. But I think that the process was honoured.

Mr Offer: In response, the Deputy Premier should know that it is felt by the many members of that agency that this was a forced vote. Mr Deputy Premier, you will also know that that was the very first vote in the history of that agency ever to have taken place and be forced upon the agency, which, I would remind the Deputy Premier, is a schedule 3 or non-arm's-length agency.

It was supposed to be a bipartite group based on consensus. There are serious concerns, Deputy Premier, that this agency is in fact exploding.

As you review this matter, I would ask you to look into whether there has been any Ministry of Labour interference in bringing about a forced vote on this issue, which is resulting and will result in resignations from the management component of the agency.

Hon Mr Laughren: First of all, the member opposite should understand that the agency had an obligation to come up with a solution for the certification of—for training. They were assigned that job, and I commend them for reaching the milestone where they achieved that.

While there may be some who will claim that the process was rushed, they've been working on it now for, I believe, two years, and that is a long time to achieve this when they were assigned this responsibility. I'm not aware of any interference by anyone in their activities, but I'll take the suggestion by the member opposite as notice.

HEALTH CARDS

Mr Jim Wilson (Simcoe West): In the absence of the Minister of Health, my question is directed to the Deputy Premier and Treasurer.

Treasurer, you should be aware that \$38 million has been spent on the OHIP health card system. That's these little red cards that Ontarians need to access health services in this province. The system was introduced by the Liberals in March 1990 and it was intended to limit abuse and prevent fraudulent OHIP claims.

Since the new cards were introduced, over 11 million cards have been issued by the Ministry of Health. Deputy Premier, with so many cards currently in the system, could you tell this House what your government has done to ensure that fraud is not occurring and that Ontario taxpayers are not being ripped off?

Hon Floyd Laughren (Deputy Premier, Treasurer and Minister of Economics): I think I would be well advised to take that as notice and talk to the Minister of Health about that and ask her to respond to the member directly.

1430

Mr Jim Wilson: Deputy Premier, that simply isn't acceptable. You're the second-highest official in your cabinet. The Health minister's not here to answer questions. In fact, we're told she's pondering over some reports in her office across the street today and that she is not going to

appear in question period and be accountable to the people, so I have no choice but to once again ask you the question.

On July 8 of last year the Minister of Health issued a press release that said "more than 98% or 9.7 million of eligible Ontarians now have their cards." So at the most we have an eligible population of 10 million people. With more than 11 million health cards issued, it's clear that more than just eligible Ontarians have Ontario health cards. Based on the number of health cards issued, there's a great potential for our health care system to be hijacked by fraudulent claims.

You're the Treasurer, and I'll repeat my question. What measures have you or your government taken or are there in place today to ensure that fraud is not occurring in our Ontario health card system?

Hon Mr Laughren: I am not at all offended by the member asking me the question and I am concerned about any potential fraud in the system, but I think the member would appreciate the fact that I don't believe in attempting to answer any question unless I'm absolutely sure of the answer.

JOBS ONTARIO HOMES FUND

Mr Brad Ward (Brantford): My question's for the Minister of Housing. Minister, you'll recall that in the budget of May our Treasurer and this government made a number of initiative announcements. One I can recall is the Jobs Ontario Training fund, a \$1.1-billion training fund over the next three years to put up to 100,000 workers who are currently on social welfare back to work. Minister, over 800 people in my riding of Brantford will benefit from this program.

You will recall another initiative, Jobs Ontario Capital, which is used to strategically rebuild our infrastructure. Minister, some schools in my riding, some roads in my riding, have benefited from this initiative.

One very important initiative announced by the Treasurer was the Jobs Ontario Homes project. Minister, I think this is a third key component to our initiatives in battling the recession. The other two initiatives have been implemented, but I don't recall hearing any news from your ministry about this very important initiative. Could you give us a status report for the people of Ontario?

Hon Evelyn Gigantes (Minister of Housing): I'm pleased to do that. Earlier this year I was able to announce the—

Interjections.

The Speaker (Hon David Warner): Order. Minister.

Hon Ms Gigantes: Earlier this year I was able to announce the allocation of 6,500 units in the remaining part of the P-10,000 program which came out of last year's budget, and we'll be moving ahead with allocations under the new commitment made in this year's budget. A proposal call will be going out in November and we hope to have those allocations in place by the end of the year. Getting just into the new year, we expect that groups will be able to start proceeding with allocations.

I should point out that as of August 31 in Ontario, we were building on an average about 24,000 units a month.

People were working on 24,000 units a month. That includes all the programs we have been allocating over the last several months—a very high level of activity.

Mr Ward: Thank you for that answer, Minister. Judging by the response of some members of the opposition, maybe they don't feel non-profit housing is an important component to implement. Let me tell you, Madam Minister, that last week I was at the opening of a non-profit housing project in my riding of Brantford conducted by the YM-YWCA which provided 60 units for geared-to-income and market income people, families, in my riding.

I think if they would look at that particular project it would be an asset, not only because it meets a social need in my community of Brantford but it also would be an asset to any neighbourhood. Anyone would welcome a project like that, not only because it has a social need, but because it created short-term work in the construction sector. We all know it's been decimated by the recession.

Interjections.

The Speaker: Order.

Mr Ward: Minister, for the benefit of the opposition, can you tell us what short-term benefits non-profit housing has?

Hon Evelyn Gigantes: I appreciate the enthusiasm of the member for the work that is going on in Ontario in non-profit housing.

We know in fact from CMHC statistics that the work we're doing in non-profit housing really has kept the construction industry at work this year and without it the one-third unemployment level we've seen in the construction industry would be even higher.

We also know that this is a period of time when land prices are at a low, when construction costs are at a low and when people most desperately need affordable housing. It's a good time to be doing this work and that's why we're very pleased to be able to continue with our non-profit housing program.

ACADEMIC STREAMING

Mr Charles Beer (York North): My question is to the Minister of Education and it again concerns the issue of destreaming. Minister, yesterday, in response to a question from my colleague the member for London North, you attempted to answer a question about destreaming. Frankly, I think that if anything this issue is even more confused today than it was at the end of last week.

Through discussions with teachers and with school boards, I am aware of a tremendous amount of confusion. The member for London North referred to it as chaos and I think it is bordering on that around exactly what is happening with respect to destreaming and what the government's policy is.

Minister, I want to go back to the specific question asked of you yesterday from my first question. Are you now saying September 1996 is the beginning of the total destreaming program of your government, or are you saying it's September 1993? Out there people don't know and they don't understand what it is they're being asked to do.

Have you changed your mind and is it now September 1996? Is that the government's policy?

Hon Tony Silipo (Minister of Education): No, there has been no change of mind. I think I've been trying to say, as I said from the very beginning on this, that we have put in place a three-year implementation period which begins in September 1993 and goes to 1996.

What we have also said very clearly is that—if people are interested in the answer, I'm trying to give it—what we have said in the memorandum we sent out was that starting in September 1993 the formal destreaming would end; that is, the labelling of courses into basic, general and advanced would no longer apply. As well, as a consequence of that, the formal credit system would not apply, starting in September 1993.

But we recognized from the very beginning that in terms of the full implementation—and by full implementation I mean the change in the teaching methodology that needs to happen for a full destreaming to occur, for a move to a more common curriculum to occur—it's not a question of simply saying, "That will happen as of September 1993." It takes a period of time for that change in teaching methodology to occur and that's why we've allowed the three-year period—

The Speaker (Hon David Warner): Could the minister conclude his response, please?

Hon Mr Silipo: —to allow school boards and schools to go at some reasonable pace based upon the particular experiences they've had.

Mr Beer: That again is a very curious answer, because the minister's saying, "We're going to stop doing things even though we don't know what we're going to put in its place," and that is precisely what teachers, trustees and parents have been asking and saying, "We need a clearer explanation."

I have here a letter from the head of the history department at Agincourt Collegiate, Mr Ken Smith. I talked with him today and I'm using this letter because here is an individual who received this year the highest award of the Canadian Teachers' Federation, the Hillroy Fellowship Award. I had written to congratulate him on being the recipient of that award. He wrote back to say, "Look, one of the biggest concerns we have as teachers right now is, we don't understand what the government is doing with destreaming," and in particular, that it has not evaluated the pilot projects and has not brought in the kind of in-service programs that are needed to really give teachers the resources and support they need.

1440

Interjection.

The Speaker: Order, the member for Cochrane South.

Mr Beer: My question is, will you not recognize that there is this confusion out there, that there is this chaos and that people want to see an evaluation of the pilot projects and they want to see the in-service programs before we change what we've got? You've got to get your direction in order.

Hon Mr Silipo: Quite frankly, I find the request a little strange, given that what I've done with the September 1993 deadline is push from September 1992 a deadline that had been imposed by the previous government. Let's put that on the record first of all. Second, let me also say very clearly that we have lots of information from the pilot projects that is being shared with school boards and with teachers.

But having said that, I also have recognized and acknowledged here in this House and elsewhere that there is some confusion out there. I've also undertaken as a result of that to put out to schools some very clear information, very detailed information that will tell them exactly what we mean. We'll spell it out to the umpteenth detail we need to so that there is no confusion.

I also want to emphasize again that we have understood the need for in-service training. Right from the beginning, I've said that's a significant area we need to do. We've embarked upon two initiatives particularly: one in which we are providing funds in the amount of about \$3 million to school boards for in-service programs; the other is a project with the Ontario Teachers' Federation, which it has developed at our request, that provides for the sharing of information among teachers throughout the province. We think that through those kinds of initiatives we'll also be able to put the best teaching practices at use throughout the province.

AGRICULTURAL FUNDING

Mr Noble Villeneuve (S-D-G & East Grenville): To the Minister of Agriculture and Food: Last week, Minister, I questioned you about possible further cuts in budgets to agriculture or increased levies to the agricultural community. You admitted that further restraint measures might be necessary, but you didn't really tell us what they were. Maybe the minister can tell us today if his ministry is looking at new fees to levy against farmers, such as licensing motorized equipment or possibly removing the farm fuel tax exemption that farmers have benefited from. Explain that to us, Mr Minister.

Hon Elmer Buchanan (Minister of Agriculture and Food): I am not the Minister of Revenue and don't collect taxes or fees. The member should know that.

I mentioned in the member's last question—I believe it was last week when he asked the same or a similar question—that we are looking at ways to save money, to restrict spending as much as possible and still to provide the best service. But I want to assure the member that no decisions have been made. We are looking at a number of things, but no decisions have been made in terms of fees or in terms of cutting programs. We will have consultation with farmers and the food industry before any decisions are made.

Mr Villeneuve: The minister knows that agriculture has not been treated very well by this government. Farm leaders have openly stated that farming and agriculture are clearly not a priority of your government. As a matter of fact, you spend more money on jails than on agriculture in this province right now. Minister, can you explain to us

why the Ministry of Labour got a 16% increase and your ministry got a 10% reduction in the last budget?

Hon Mr Buchanan: I am not here to explain what happens in other ministries. I do want the member, though, to be reminded of the fact that Agriculture and Food did get money for new initiatives last year. It's one of the few ministries across the government that got money for new initiatives.

As we look at investment strategy, putting money into agriculture in terms of providing the necessary support for loans, the commodity loan program that we have put in place has become very popular. It's managed to leverage dollars from lending institutions to actually put money back into the pockets of farmers. Better still, we don't take that money out of their pockets and give it to lending institutions.

We have put money into agriculture. We've tried to take the money we have and spend it wisely. The measure here of success is not necessarily quantity but the quality of the programs we've put in place, and I think the member should take a look at that.

HYDRO PROJECTS

Ms Margaret H. Harrington (Niagara Falls): My question is for the Minister of Energy. Abrasive Industries in Niagara Falls is extremely concerned about industrial power rates. I have been meeting with Norton Advanced Ceramics, Washington Mills and General Abrasive on an ongoing basis for some time, and they have also been working, in the last few months, with the Ministry of Industry, Trade and Technology, Hydro, the Ministry of Energy and AMPCO.

You may remember that General Abrasive was one company that, in the press last month, threatened to "move across the river." When I met with this company three weeks ago, I went there to see its manager, Mr Chris Ciccarelli. We discussed all the options that were available. One was what he called "real-time pricing." What he told me was that over the next three months, this program alone would save him \$300,000 and would make the difference. He told me that 24 companies across Ontario had applied for this program, and only 20 spaces were available. What I need to know is if this program will help my company in Niagara Falls.

Hon Brian A. Charlton (Minister of Energy): I thank the member for the question. I'm pleased to tell her that Ontario Hydro has decided to set up a new experimental program. The time-of-use rates program, which was created several years ago, will be incorporated into a new real-time pricing program that will start in January 1993.

Specifically relating to the company in question, my understanding is that all of the companies that have applied for this experimental program have been accepted into the program.

Ms Harrington: Yesterday, Hydro announced some major cutbacks in capital projects. The people of Niagara Falls, I'm sure, do want to know the status of the Sir Adam Beck 3 project, which is a project to twin the huge tunnels under the city of Niagara Falls and build

another generating station at Queenston. Could you please let us know what's happening?

Hon Mr Charlton: With respect to the Beck 3 project, first of all, it was not one of the projects that was deferred by Ontario Hydro as part of the announced deferrals of the other day. My understanding is that Hydro intends to proceed to seek the appropriate approvals, including environmental approvals, to proceed with the project. As far as I understand it, those actions will continue to be pursued by Hydro.

Mr Michael A. Brown (Algoma-Manitoulin): I also have a question for the current Minister of Energy. The question concerns Elliot Lake and region. I ask this question mostly to get your views, as you are the third minister in about two years. You fired the president of Hydro. The chairman and CEO of Hydro will abandon ship shortly.

As you know, your government instructed Hydro to lay off 1,100 men and women at Denison Mines. Your government instructed Hydro to give notice to another 600 workers at Stanleigh mine that their employment would end in 1995 or perhaps 1996. This betrayed a specific campaign promise that you've made, but you would know all about that kind of thing.

Given your track record on keeping promises, given the total disarray at Ontario Hydro, given the parade of ministers in your portfolio, the people of my riding, my constituents, ask that you reaffirm the Energy-Hydro package to the people of Elliot Lake. Can you do that for us, Mr Minister?

Hon Mr Charlton: The member's question relates to a multifaceted package that was agreed to in terms of Elliot Lake. To the best of my knowledge, with the exception of one item which has been deferred—not cancelled, but deferred—that package remains intact.

1450

Mr Brown: Mr Minister, almost two years ago, Mr Eliesen, Mr Wildman and Ms Martel, in a lot of hoopla, promised Elliot Lake at a news conference that two very important hydro projects would go forward in that area. They would be fast-tracked.

One was the hydroelectric project at Patten Post. It was to be expedited. It was a project that made sense, according to your government, from both Hydro and the area's point of view. It was a project that included at least \$300 million of capital spending. It would employ hundreds, if not thousands, Mr Minister. It was to be going by 1994.

The second was a commitment to a cogeneration station, which appears to be rapidly evaporating.

Minister, you've deferred these projects too long. Your government promised to make them happen. The people I represent and the people Mr Wildman in Algoma represents want these things to happen. I don't want you to tell me anything but that, yes, within the next year, there'll be people working on the north shore of Lake Huron in these two projects. Can you do that, Mr Minister?

Mrs Elinor Caplan (Oriole): Another broken promise. Just Martelling again.

Mr Gilles Bisson (Cochrane South): Elinor, put a sock in it, okay?

The Speaker (Hon David Warner): The member for Cochrane South, it's not helpful. I ask the member to withdraw.

Mr Bisson: I withdraw the comment, Mr Speaker, but ask not to be badgered.

Mr Steven W. Mahoney (Mississauga West): He doesn't have to withdraw it. What's unparliamentary about a sock?

The Speaker: It would be very helpful if we could just calm a bit and allow the minister to respond to the question in an orderly way.

Hon Mr Charlton: The member's question is a very important one. I think it deserves a response and I'm happy to make that response. As I said in response to his first question, my understanding is that the package that was designed for assistance in Elliot Lake as a result of the decision around the uranium contracts remains intact.

There has been a deferral and the deferral has to be understood in the context of the whole province and of Elliot Lake itself. Projects are being deferred because Hydro does not need the power. Any corporation that was out soliciting and buying power that it didn't need would be criticized by all the members across the way in terms of its inappropriate business decisions. To purchase power that's not required would have an impact on rates in this province in excess of the high rates that we've been attempting to deal with.

Interjections.

The Speaker: Minister.

Hon Mr Charlton: As I said, the package will remain intact. Hydro has just deferred \$7 billion in capital projects because it does not need the power. Hydro's responsibility is to operate in the best interests of the whole province, the ratepayers and the industries right across this province. The government has to weigh the balance between proceeding and pushing rates up, and dealing with the very difficult economic circumstances and high rates that we have at the present time. Both the projects the member has raised will proceed at the appropriate time.

MUNICIPAL GOVERNMENT

Mr Norman W. Sterling (Carleton): I have a question for the Minister of Municipal Affairs. Mr Minister, in May of this year you appointed Graeme Kirby to study structural reform in the Ottawa-Carleton area. This is the fourth study by government in Ottawa-Carleton over the last 12 or 13 years.

In the initial document, Mr Minister, it was pointed out by your officials that there was a problem in perception that there was too much government, not a real problem. In your document, it pointed out that it would be unlikely that there would be any financial savings or economies with regard to going to one-tier government.

The 11 municipal governments in the area commissioned Price Waterhouse to study the financial impact of what was going to happen. Price Waterhouse said it was going to cost \$77 million more to have one-tier government, and in addition it was going to cost \$30 million to set it up. Mr Minister, why are we doing this?

Hon David S. Cooke (Minister of Municipal Affairs): I think there is a general understanding in the Ottawa-Carleton area that that area of the province is over-governed, that there are many elected politicians, that we could have smaller councils and we could perhaps have fewer councils. But I think it's also important to understand that in the Price Waterhouse study there were certain assumptions made that led to the \$77-million assumption. If you change those assumptions, if you don't level off and have the same service provided in every one of the municipalities from one end of Ottawa-Carleton to the other, then it wouldn't result in that kind of increased cost.

No one on this side is advocating that we move towards one-tier government. What we are advocating is that we have to move towards developing an accountable, rational system of local government in Ottawa-Carleton that doesn't exist now. Most everyone agrees that there has to be reform. Maybe you don't, but most of your constituents do.

Mr Sterling: I don't think most of my constituents do, Mr Minister. In fact, at every meeting held that I have read about, the overwhelming response to Graeme Kirby is, "Why don't you wrap up your study and go home? Municipal government is not our major problem here." When he came to see me, Mr Minister, I told him that out of priorities of 1 to 100, this was either 99th or 100th on the scale of concerns to my area. It's no secret, Mr Minister, that the city of Ottawa is experiencing severe financial problems. That comes from the free-wheeling government of New Democrat Marion Dewar and the Liberal spender of Jimmy Durrell.

Interjections.

Mr Sterling: Well, you look at their books; you look at their deficit. What my people want, Mr Minister, is an assurance from you. If you buy the one-tier government option, will you assure my people that they will not end up paying for the mismanagement of the city of Ottawa over the last decade?

Hon Mr Cooke: There's no assumption that there's going to be one-tier government. There will be reform of local government in Ottawa-Carleton. We'll wait for the Kirby report and we'll go from there.

I don't know why the member always has to attack his own local governments. I know he pointed the finger at Durrell today, he pointed the finger at Marion Dewar from the past and he's having a fight with the Tory regional chair. Who do you get along with in Ottawa-Carleton?

1500

SCHOOL CURRICULUM

Mr Paul Wessinger (Simcoe Centre): I have a question for the Minister of Education. I only have one question now, because I appreciate the clarification he's given with respect to the implementation of the core curriculum for grade 9. I know my constituents will be relieved to hear that it will not be mandatory until September 1996.

However, I do have another concern about the introduction of the core curriculum which has been expressed to me by many of my constituents; that is, I wonder what

the minister could advise my constituents with respect to their concerns about the maintaining of educational standards with the introduction of the core curriculum.

Hon Tony Silipo (Minister of Education): That again is a concern we certainly heard about and keep discussing with people. I must say I appreciate the interest that is being expressed on both sides of the House around some of these issues in education. I think it bodes well for the interest there is in this whole issue.

Let me just say that I don't find there is any inconsistency at all between moving towards a common core curriculum and heightening within that a greater sense of excellence within our system and a greater sense of heightening the quality of what we deliver.

We've talked and know quite clearly about the needs that exist out there, to have a system in which we clarify and say very clearly what we expect for our students in the system and to be able to then have some clear ways of measuring that progress. In the work we'll be doing over the next little while, some of those issues will I hope become clearer.

Interjections.

The Speaker: Order.

Mr Wessinger: As part of ensuring this quality in education, will the Benchmarks be part of that process of ensuring we have excellence?

Hon Mr Silipo: The Benchmarks process, as I've indicated on other occasions, is indeed one of the key ways in which we hope to be able to set, first of all, the standards our schools should be achieving at various points in a child's education and, secondly, to provide a clear way for us to be able to tell our system and our parents and the general public how well our students and our schools are doing.

The Speaker: The time for oral questions has expired.

NOTICE OF DISSATISFACTION

The Speaker (Hon David Warner): Pursuant to standing order 33(a), the member for Carleton East has given notice of his dissatisfaction with the answer to his question given yesterday by the Minister of Community and Social Services concerning Bill 154. This matter will be debated today at 6 pm.

PETITIONS

RETAIL STORE HOURS

Mr John Sola (Mississauga East): I've got a petition here from the Greek Orthodox community of Mississauga and district, called Prophet Elias. The petition is to members of provincial Parliament:

"Re: The amendment of the Retail Business Holidays Act, proposed wide-open Sunday shopping and elimination of Sunday as a legal holiday.

"I, the undersigned, hereby register my opposition in the strongest of terms to Bill 38, which will eliminate Sunday from the definition of 'legal holiday' in the Retail Business Holidays Act.

"I believe in the need of keeping Sunday as a holiday for family time, quality of life and religious freedom. The

elimination of such a day will be detrimental to the fabric of society in Ontario and cause increased hardship on many families.

"The amendment included in Bill 38, dated June 3, 1992, to delete all Sundays except Easter—51 per year—from the definition of 'legal holiday' and reclassify them as working days should be defeated."

It's signed by appropriately 120 constituents, and I will sign it myself.

COUNTY RESTRUCTURING

Mr Allan K. McLean (Simcoe East): I have a petition to the Legislative Assembly of Ontario.

"Whereas the Minister of Municipal Affairs has seen fit to ignore the council of the township of Tiny and their plea for reconsideration of boundary line changes within the municipality; and

"Whereas the minister has stated that restructuring within the county of Simcoe will be implemented;

"Now therefore the taxpayers of the township of Tiny find it necessary to band together and lobby against the implementation of the restructuring of the county of Simcoe.

"We, the undersigned, petition the Legislative Assembly of Ontario to refrain from passing the County of Simcoe Act until the provincial government deals with the township of Tiny in a fair and equitable manner."

That's signed by 486 people—I have thousands more, Mr Speaker—and I've added my name to it.

MUNICIPAL BOUNDARIES

Mrs Irene Mathysen (Middlesex): I have a petition from 34 constituents of the county of Middlesex, and they petition the Legislative Assembly as follows.

They would like the Legislature of Ontario to set aside the report of Mr John Brant, the arbitrator for the greater London area, because it does not reflect the express wishes of the majority in the county of Middlesex. It awards far too extensive a land area to the city of London and it will jeopardize the viability of Middlesex county and the way of life that we cherish in Middlesex.

I have signed my name to this petition.

RETAIL STORE HOURS

Mr Alvin Curling (Scarborough North): I have a petition from the Knox Presbyterian Church that says:

"I, the undersigned, hereby register my opposition in the strongest of terms to Bill 38, which will eliminate Sunday from the definition of 'legal holiday' in the Retail Business Holidays Act.

"I believe in the need for keeping Sunday as a holiday for family time, quality of life and religious freedom. The elimination of such a day will be detrimental to the fabric of the society in Ontario and will cause increased hardship on many families.

"The amendments included in Bill 38, dated June 3, 1992, to delete all Sundays except Easter from the definition of 'legal holiday' and reclassify them as working days should be defeated."

Signed by about 60 members of the church.

EDUCATION FINANCING

Mr Alvin Curling (Scarborough North): I have a second one I would like to put in place from St Bartholomew Catholic School, 51 Heather Road, Agincourt, and it states:

"Whereas the British North America Act of 1867 recognizes the rights of Catholic students to a Catholic education and, in keeping with this, the province of Ontario supports two educational systems from kindergarten to grade 12/OAC; and

"Whereas the Metropolitan Separate School Board educates more than 104,000 students across Metropolitan Toronto; and whereas these students represent 30% of the total number of students in this area, yet have access to just 20% of the total residential assessment and 9.5% of the pooled corporate assessment; and

"Whereas the Metropolitan Separate School Board is able to spend \$1,678 less on each of its elementary school students and \$2,502 less on each of its secondary school students than our public school counterparts;

"We, the undersigned, petition the Legislative Assembly of Ontario to act now and restructure the way in which municipal and provincial tax dollars are apportioned so that Ontario's two principal education systems are funded not only fully but with equity and equality."

It is signed by about 30 members of that area.

GAMBLING

Mr Ted Arnott (Wellington): I have a petition, and it reads as follows:

"Whereas the NDP government is considering legalizing casinos and video lottery terminals in the province of Ontario; and

"Whereas there is great public concern about the negative impact that will result from the abovementioned implementations;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government stop looking to casinos and video lottery terminals as a 'quick-fix' solution to its fiscal problems and concentrate instead on eliminating wasteful government spending."

I have affixed my signature to this petition.

EDUCATION FINANCING

Mr Stephen Owens (Scarborough Centre): I have a petition signed by 19 citizens of the province, including some constituents from Mr Speaker's riding. The petition says:

"Whereas the British North America Act of 1867 recognizes the right of Catholic students to a Catholic education and, in keeping with this, the province of Ontario supports two educational systems from kindergarten to grade 12/OAC; and

"Whereas the Metropolitan Separate School Board is able to spend less than \$1,678 on each of its elementary school students and \$2,502 less on each of its secondary school students than our public school counterpart;

"We, the undersigned, petition the Legislative Assembly of Ontario to act now and restructure the way in which

municipal and provincial tax dollars are apportioned so that Ontario's two provincial education systems are funded not only fully but with equity and equality."

I affix my signature of support.

Mrs Elinor Caplan (Oriole): I have a petition to the Legislative Assembly of Ontario that has been signed by a number of residents in my riding:

"Whereas the British North America Act of 1867 recognizes the rights of Catholic students to a Catholic education and, in keeping with this, the province of Ontario supports two educational systems from kindergarten to grade 12/OAC; and

"Whereas the Metropolitan Separate School Board educates more than 104,000 students across Metropolitan Toronto; and whereas these students represent 30% of the total number of students in this area, yet have access to just 20% of the total residential assessment and 9.5% of the pooled corporate assessment; and

"Whereas the Metropolitan Separate School Board is able to spend \$1,678 less on each of its elementary school students and \$2,502 less on each of its secondary school students than our public school counterparts;

"We, the undersigned, petition the Legislative Assembly of Ontario to act now and restructure the way in which municipal and provincial tax dollars are apportioned so that Ontario's two principal education systems are funded not only fully but with equity and equality."

I submit this to you, Mr Speaker, on behalf of my constituents in the riding of Oriole.

1510

LABOUR LEGISLATION

Mr David Turnbull (York Mills): I have a petition for the Legislative Assembly. It reads:

"We, the undersigned, adamantly oppose the current NDP government's proposed labour legislation changes, Bill 40. We feel that if the government follows through with these changes, Ontario will be much poorer off in terms of international competitiveness, investment opportunities, business flexibility and creativity, personal freedom and privacy."

It is signed by 53 of my constituents and I too attach my signature to it.

RETAIL STORE HOURS

Mr Gary Wilson (Kingston and The Islands): I have a petition to the members of provincial Parliament that is signed by about 70 people in my riding and the vicinity. This petition reads:

"I, the undersigned, hereby register my opposition to wide-open Sunday business.

"I believe in the need of keeping Sunday as a holiday for family time, quality of life and religious freedom. The elimination of such a day will be detrimental to the fabric of society in Ontario and cause increased hardship on retailers, retail employees and their families.

"The proposed amendment to the Retail Business Holidays Act of Bill 38, dated June 3, 1992, to delete all Sundays except Easter—51 per year—from the definition of

'legal holiday' and reclassify them as working days should be defeated."

I affix my name to it.

Mr James J. Bradley (St Catharines): I have a petition from Grace Anglican Church and Fairview Mennonite Church in the city of St Catharines that reads as follows:

"I, the undersigned, hereby register my opposition to wide-open Sunday business.

"I believe in the need of keeping Sunday as a holiday for family time, quality of life and religious freedom. The elimination of such a day will be detrimental to the fabric of society in Ontario and cause increased hardship on retailers, retail employees and their families.

"The proposed amendment of the Retail Business Holidays Act of Bill 38, dated June 3, 1992, to delete all Sundays except Easter from the definition of 'legal holiday' and reclassify them as working days should be defeated."

I affix my signature to this, as I agree with the petition.

SCHOOL CURRICULUM

Mr Charles Harnick (Willowdale): I have a petition to the Legislative Assembly of Ontario. It reads as follows:

"The Ministry of Education has made evolutionism a compulsory core unit in senior OAC history and science. Since evolutionism and creationism are completed acts in the past, neither can be proven nor disproven. In fairness to all parents and students, equal time should be given in presenting the underlying assumptions of each. Through the two-model approach, the skills of critical thinking such as recognition of bias, awareness of society's influence on one's bias and the awareness of assumptions can allow students to examine their own belief system and better appreciate an opposing view.

"These skills should be incorporated into all textbooks approved in circular 14 dealing with the question of origins."

This has been signed by numerous constituents of mine in the city of North York.

STABLE FUNDING

Mr Randy R. Hope (Chatham-Kent): I have a petition before me signed by a number of farmers from Listowel, Durham, Goderich, Bruce and Renfrew. The context of the petition is around the stable funding issue that's being proposed to the Minister of Agriculture and Food, and it states that the farm organizations do not represent two thirds of the farmers and they are concerned and have strong objections to the proposed legislation that hopefully may be coming before us, and I affix my signature to it.

STANDING ORDERS REFORM

Mr Murray J. Elston (Bruce): I have a petition which, by the day, becomes more important, I think, to the proceedings here. It says, "To the Legislative Assembly of Ontario," and I'll cut some of it out.

"Whereas Premier Rae of the province of Ontario has forced upon the Ontario Legislature a change in the rules governing the procedures to be followed in the House; and

"Whereas Premier Rae has removed from members of the opposition the ability to properly debate and discuss legislation and policy in the Legislature by limiting the

length of time a member may speak to only 30 minutes; and

"Whereas Premier Rae, who once defended the democratic rights of the opposition and utilized the former rules to full advantage in his former capacity as leader of the official opposition, has now empowered his ministers to determine unilaterally the amount of time to be allocated to debate bills they initiate; and

"Whereas Premier Rae has reduced the number of days that the Legislative Assembly will be in session, thereby ensuring fewer question periods and less access for the news media to provincial cabinet ministers; and

"Whereas Premier Rae has diminished the role of the neutral, elected Speaker by removing from that person the power to determine the question of whether a debate has been sufficient on any matter before the House; and

"Whereas Premier Rae has concentrated power in the Office of the Premier and severely diminished the role of elected members of the Legislative Assembly, who are accountable to the people who elect them,

"We, the undersigned, call upon Premier Rae to withdraw the rules changes imposed upon the Legislature by his majority government and restore the rules of procedure in effect previous to June 22, 1992."

Mr Speaker, I will attach my signature to that.

INVESTMENT FUND

Mr David Tilson (Dufferin-Peel): Mr Speaker, I have a petition from constituents in my riding from Orangeville, Shelburne, Caledon and Grand Valley. It's addressed to the Legislative Assembly of Ontario.

"Whereas we, the undersigned, members of the Ontario municipal employees retirement system, do not want our pension funds invested in the Ontario investment fund; and

"Whereas we cannot jeopardize our retirement income by allowing the government to decide where our hard-earned capital should be invested; and

"Whereas it is very tempting to dip into our piggy bank without using the democratic process; and

"Whereas this is not how you protect the welfare of the workers,

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to listen to our concerns and 'hands off' our pension funds."

Mr Speaker, I've affixed my signature to this petition.

RETAIL STORE HOURS

Mrs Joan M. Fawcett (Northumberland): I have a petition to the members of provincial Parliament re the amendment of the Retail Business Holidays Act proposing wide-open Sunday shopping and elimination of Sunday as a legal holiday.

"I, the undersigned, hereby register my opposition in the strongest of terms to Bill 38, which will eliminate Sunday from the definition of 'legal holiday' in the Retail Business Holidays Act.

"I believe in the need of keeping Sunday as a holiday for family time, quality of life and religious freedom. The elimination of such a day will be detrimental to the fabric of the society in Ontario and cause increased hardship on

many families. The amendment included in Bill 38, dated June 3, 1992, to delete all Sundays except Easter (51 per year) from the definition of 'legal holiday' and reclassify them as working days should be defeated."

Thank you, Mr Speaker. I have signed it.

The Speaker (Hon David Warner): The time allocated for the presentation of petitions has expired.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Mr Kormos from the standing committee on resources development presented the following report and moved its adoption:

Your committee begs to report the following bill as amended:

Bill 40, An Act to amend certain Acts concerning Collective Bargaining and Employment / Loi modifiant certaines lois en ce qui a trait à la négociation collective et à l'emploi.

Mr Murray J. Elston (Bruce): Mr Speaker, in relation to this report, I have both a point of order and a point of privilege.

The first matter coming to bear, I suspect, ought to be the point of privilege since as a matter of fact I raised the issue about whether that particular legislation could be reported to this House with amendments or not at all, as a result of the terrible travesty and violation of the standing orders carried in the committee, which renders, in effect, in my view, all those amendments as passed in the committee or determined to be passed by the current chairman a nullity.

Mr Speaker, my point of privilege is this: You have undertaken to make a decision with respect to my point of privilege about the members being unable to carry out their duties and obligations to their constituents as a result of being prevented from knowing, or even having read, each of the questions to be placed as a voted item. It seems to me that under standing order 21, that report now, today, is a violation of the privileges that I have as a member to understand and have determined for me the relevancy of the application of the standing orders to the work carried out not only in this House but in the committee.

1520

Mr Speaker, from time to time you have indicated, and you did today, that some questions ought to have been better raised in the committee itself. The committees exist not separately from this House but as an extension of this House. The work they do is done at the behest of the people here. We have no other way of getting business done. As you know, we just cannot do it all in this chamber. We have standing orders which set up standing committees that allow us to refer matters out for clause-by-clause and amendments from time to time. In fact, it happens a lot.

It seems to me, Mr Speaker, that under all circumstances in which business of this place is to be done, it is to be done in compliance with the rules as are established from time to time by this House and as are carried out under your particular guidance. It seems to me that in this circumstance, you, as the presiding officer over this House

and over the members and over the work of these members, are required to intervene when there has been a decision which, in my view, violates the privileges of the members collectively in this place.

It seems, Mr Speaker, because this matter has come now, that I must repeat for you now, again, the arguments I made earlier, not to use up time but because if I fail to raise them, they will not and should not be considered as part of the point of privilege about which I speak now. To be perfectly—to be perfected, I guess I should say—when I stand on this point, I cannot ask you to refer, in my view, to previously related information, when it is about that request made further to my earlier comments that you were going to make some decisions.

Mr Speaker, therefore, I wish to raise—

Interjections.

The Speaker (Hon David Warner): Order.

Now, if it's of assistance to the member for Bruce, it perhaps isn't necessary to reiterate the original points that he made earlier and brought to my attention. If, however, he has some further detail that would be of assistance, then naturally I'd be quite pleased to hear from him.

Mr Elston: Mr Speaker, you misunderstand me. I raised the point of privilege earlier about the manner in which it was carried on. You said that you would take those into consideration. I think, under that question, you have enough information at least to make a determination.

My point of privilege herein relates to something similar, and to complete my point of privilege in relation to this report coming on anyway, it seems to me that I must go back and repeat all of those other points so that I can make the case that my privileges have been violated. It is for no other reason, Mr Speaker, unless you're going to tell me that you will take into account all of the earlier detail when you determine the second point of privilege. This is a point of privilege separate from but related to the first, because it seems to me that as soon as the member for Welland-Thorold rose to make a report on a bill with amendments as he has just done, he has violated my right, my privilege, to have you determine whether or not the standing orders were violated.

The question in each respect really revolves around the one point; that is, can a report from a committee include a bill with amendments when the contention of this member and members of my caucus is that the amendments themselves fail for a violation of the standing orders?

The standing orders, just to repeat for you, Mr Speaker, require that when we do business, we not only require notice of the particular amendments but we are allowed to debate sections of the bill to which they apply. We are in fact entitled to receive explanation with respect to each of those amendments and each of the sections.

Under the time allocation motion about which I read a petition not that long ago, it was easily seen that we were precluded by the motion from requiring each of the amendments to be read into the record and discussed. Mr Speaker, just for your edification, I will read this particular resolution which was passed under the name of the government House leader, Mr Cooke. It is Mr Cooke's resolution:

"That one further sessional day shall be allotted to the second reading stage of Bill 40, An Act to amend certain Acts concerning Collecting Bargaining and Employment. At 5:45 pm on this day the Speaker shall interrupt the proceedings and shall put the question without debate."

In that regard, it is quite clear that the rules were all neatly wrapped up and that you had no option to put this matter further in the committee. But let me talk about the referral to the committee, which I say has been deficient in the way it has dealt with the amendments to be passed and to be then reported today in front of the House:

"That the standing committee on resources development shall meet to consider the bill as follows: five weeks, including up to three evening meetings per week, to receive public submissions, commencing Tuesday 4 August 1992. Further, that the committee be authorized to meet for clause-by-clause consideration of the bill following routine proceedings on the first eight sessional days of the fall meeting period of the House. All proposed amendments shall be filed with the clerk of the committee by 4 pm on the day prior to the last day on which the committee is authorized to consider the bill clause by clause. At 4 pm on the last day on which the committee is authorized to consider the bill clause by clause, those amendments which have not yet been moved shall be deemed to have been moved and the Chair of the committee shall interrupt the proceedings and shall, without further debate or amendment, put every question necessary to dispose of all remaining sections of the bill and any amendments thereto. Any divisions required shall be deferred until all remaining questions have been put, the members called in once and all deferred divisions taken in succession. The committee shall report the bill to the House on the first available day following completion of clause-by-clause consideration that reports from committees may be received. In the event that the committee fails to report the said bill on the date provided, that bill shall be deemed to be reported to and received by the House."

That capsulizes the manner in which this bill is to proceed through the standing committee on resources development. It has come to this stage, where we agree that the document here, this time allocation, really rams this stuff down our throats without our being able to make the arguments necessary, we think, to properly consider its merit. We understand what is contained here: We're forced to have the amendments deemed to have been read.

But it is a requirement of this Legislative Assembly that when the question has been put, each member can have that question read to him or her so that he or she knows precisely what is required to be done. In this place, people yell out saying, "Don't read it again, don't read it again." "Dispense," in fact, is the short form. It is the requirement for every member to know what he or she is voting on before the vote is called.

I read to you earlier, and I will just go back to it again if I can find it here, the script which was provided to the committee Chair, which sums up the manner in which the standing committee on resources development really worked through the votes that were required with respect to this bill in the last half-hour. I could read all seven

pages, but I'll just read a few excerpts so that you know just how tightly this thing was scripted and just how much the privileges of the members to hear each question as it was put—what was really done to them. I'll read the first series of questions that were on this first page.

"Shall section 1 of the bill carry?" Not an unusual question; it's done quite regularly where there is not an amendment. "Shall section 2 of the bill carry?" Again, the same thing transpires. "Shall section 3 and 4, and shall section 5 of the bill, as amended, carry?" And so on. Those are not unusual.

But when we come to, "Shall the deferred PC amendment to section 7(2)(4) carry?" it seems to me that under any form of etiquette, let alone standing orders, the deferred PC amendment ought to have been read out to make it clear exactly what each of the members was being asked to vote on.

The point comes out that this was scripted, that there was no way we could have had those matters read out for our consideration. That, in my view, is a violation of the privileges of the House. It is, therefore, a defective vote. Even though I understand that the PC motion on its own failed in this case, there are several government amendments which were deemed to have been read which were put in the same nature. I won't bother finding them, but they will eventually show up in the Hansard of the resources development committee, I understand, later today because that Hansard is not available as the official record for me to refer to.

1530

Mr Speaker, my view is that if the proper procedure were followed, there would be no dispute, but in this case the members' privileges under section 21 have been violated severally and collectively when each of the questions was not read out. There is nothing, when I read through this particular time allocation motion, that takes that right away from the members. The script took that right away from the members. In fact, all we heard was "vote on amendment under 7(2)(4)" or "vote on amendment under section" whatever, whatever. That is not proper.

That, in my view, makes the voting on the amendments a nullity and, as a result, we cannot accept the report of the committee until we determine whether or not the bill is actually reported with or without the amendments now contemplated by the government.

One point with respect to the time allocation motion itself: While the time allocation motion specifically speaks to a deviation from what is usually the case provided under the standing orders of this place, it is silent with respect to the manner in which votes are to be put in front of the members. My view, Mr Speaker, if you interpret it in accordance with the way that normally is done, is that the specific nature of the standing orders with respect to both members' privileges and the manner in which votes are to be put and the custom under which votes are put to the members—that is, giving them the question to be voted upon—is to be complied with unless specifically violated by this time allocation motion.

There is nothing, Mr Speaker, in the reading I have just provided for you—or even further, if I were to complete

the full reading; I won't—that says the principle of having the question read independently of its number or of its location on some script provided to the committee Chairman will preclude the usual custom and habit of our place coming forward.

Mr Speaker, that's my point of privilege: that if you do not comply with the standing orders in all respects, the amendments must fail because they have not been passed properly. I urge you, Mr Speaker, therefore to make a ruling on that first point of privilege but that you uphold my privilege now to receive that ruling before this committee report is brought forward to you, and in fact that you do not allow my privileges to be violated by having that motion tabled now for the adoption of that report prior to you making a determination of my privileges. That in itself would be a violation of my privilege on the second part of my point.

There are a couple of other things I think I could speak about in relation to the manner in which this material was dumped on our table. I raised earlier in my point of privilege the fact that some 26 amendments were dumped late in last week's session on the table of the committee. Although I know it complies with the words which are in this time allocation, namely that by 4 o'clock on the last day the amendments be tabled, when you understand, Mr Speaker, that we fully anticipate that when 4 o'clock is the deadline we will have some time to debate those amendments, I would ask you to consider just what the violation of my privileges might be when the Minister of Labour knew what his amendments were going to be—and in fact the press release is about those amendments coming—and when he knows there's only going to be half an hour for us really to consider the nature of those amendments.

That, in my humble submission to you, means that the privileges of the members of the Liberal caucus and the Progressive Conservative caucus have again been violated by the concept that they have been provided with a giant surprise and in fact are precluded from preparing amply for the defence of the public interest when it comes to dealing with those particular amendments.

I think I have raised some serious concerns. I refer you, obviously again, to the same sections that I did earlier, but I want to say it is a separate point. Sections 67 through to 79, I think, of the standing orders are the areas in which we deal with the process of public bills. I ask you particularly to pay attention to the custom of the members here generally, once they know what the amendments are, yelling at you or anybody else who may be in charge of the meeting and saying "Dispense," when the question is to be read, before the question is put.

This is a serious piece of business. We have been compromised by the change to the rules. We feel extremely strongly about that. We have been compromised to the extent that the time allocation motion, which you have heard me read part of here, really takes away a great deal of our flexibility.

My contention is that it fails to take into account all the standing orders. Those orders must survive. The question must be read, and our privileges are otherwise really defeated if you don't preclude the rushed, jamming activity that has

gone on in that committee. You must sustain us, or we cannot ever expect to do our business. I'd ask you, Mr Speaker, to rule now that the report of the member for Welland-Thorold to this House is out of order.

Mr David Turnbull (York Mills): Mr Speaker, on the same point—

The Speaker: No. To the member for Bruce and the House leader of the official opposition: First, may I say to him that I fully appreciate and understand the point which he raises, which I take in summary as the timely and orderly consideration of public business, whether that occurs in the House or in committee. It is a principle which I think guides all parliaments: to provide an orderly and timely way in which to do public business. So I understand the concerns which he raises.

I have had an opportunity during the afternoon to consult the table, and if I could—if the member for Bruce would—

Mr Elston: Now, just a minute. When? You've been in the chair the whole afternoon.

The Speaker: I draw to the member's attention—

Mr Turnbull: A point of order, Mr Speaker.

The Speaker: No, I have the floor right now, and I would ask the member—

Mr Turnbull: I had it before you started speaking.

The Speaker: If the member for York Mills raised earlier a point, if it is a different topic I'd be more than pleased to listen to him after I've dealt with the point of order which is brought to my attention—

Mr Chris Stockwell (Etobicoke West): No, it's the same point of order.

The Speaker: Well, that's terrific, then—same point of order, and I'm about to rule on it.

I draw to the member's attention, starting with the principle found on page 232 of Beauchesne, section 822, that "procedural difficulties which arise in committees ought to be settled in the committee and not in the House."

I also draw to the House's attention our standing order 118, part (a), which reads that: "The Chair of a standing or select committee shall maintain order in the committee and decide all questions of order subject to an appeal by the majority of members of the committee to the Speaker. No debate shall be permitted on any decision of the Chair."

"(b) If the majority of the members of a standing or select committee appeal the decision of the Chair of the committee to the Speaker, the Chair shall at the next meeting of the House present a report which accurately states the matter on which the Chair decided, the arguments raised by members of the committee and the decision made by the Chair and the Speaker shall confirm or vary any decision of the Chair."

Lastly, I draw the member's attention to a ruling made on Tuesday, March 20, 1990, by Speaker Edighoffer, and I won't read the entire ruling. It's found on page 7 of that day's Hansard, but the essence of it which applies in this case is:

"This, in my opinion, has to be the correct interpretation put upon standing order 98, in that it is extremely

important to preserve the principle that what happens in a committee must be decided by the committee, and only through the Chair of the committee is the House to be apprised of the committee's proceedings and decisions. It is not therefore permissible for a member to appeal a Chair's decision directly to the Speaker. A member wishing to appeal must do it by way of the Chair reporting the matter to the Speaker immediately."

1540

So in summation, as Speaker Edighoffer has found and indeed which is in keeping with the general tenor of what's been raised, matters which are of importance within a committee, matters of order, must be raised in the committee—

Mr Elston: It's a matter of privilege, Mr Speaker.

The Speaker: The member for Bruce, no, this is not a subject for debate.

Mr Elston: It's a set response, but you didn't hear what my privilege was.

The Speaker: I understand fully the matter which the member has brought to my attention, and what I'm saying is that the matter with respect to whether or not the procedure followed within the committee was a proper procedure is a matter which should have been brought to the attention of the Chair of the committee and, indeed, if the committee so chose, would then do a report, bring that report immediately—ie the next sitting day—to the House and report to the Speaker that an improper procedure had been followed. That's not what has occurred, and therefore, as much as I understand the concern by the honourable member, there is not anything out of order.

I would in conclusion indicate, as I believe I have done on other occasions, that whether it is within this chamber or in a committee of the House, I think it serves all of us well when we allow ample time for discussion and ensure that every person who should have the opportunity to speak is given that opportunity. When that doesn't occur, then there are difficulties; I understand that, but I cannot find anything out of order, and indeed, in keeping with the rulings made by previous Speakers, it is well in order. But I appreciate the concerns raised.

Mr Sean G. Conway (Renfrew North): Mr Speaker, on a different but related point: Just let me—

Interjection: No.

Mr Conway: No, but just bear with me. Thank heavens, I wasn't anywhere near the resources committee, though I'm a member of it.

Listen. I've been around here long enough and I know a charade when I see one, but I accept your ruling, as obviously I'm bound to.

My point is simply this: I was listening to a number of people who were there talk about the experience yesterday, and what I would request that you and the Clerk do is advise ways and means that we might consider to change the mechanisms. What we really need now in these situations is a good accountant from someplace like Peat Marwick, where we can save ourselves all the trouble of even going, because I'll tell you, it is perfectly ridiculous to submit any thinking human being to the kind—and, I

might add, any member of the public—who was there to witness the spectacle. For a long period of time one simply reads off numbers that absolutely mean nothing at all to most members of the committee and certainly members of the public.

I accept the ruling. We have got a situation that is both in order and absurd, and what I would look for, since I have no intention of participating in some majoritarian absurdity, is some kind of mechanism where we could have a duly constituted committee, where from our offices we can simply transmit a non-verbal communication that indicates where the various caucuses are on the issues.

I have to say, Mr Speaker, it is an affront to thinking human beings that they should be asked to go and participate in some kind of a process such as we've now got. It may very well be in order, but I submit it is absurd and I'm asking for some help on the administrative side from you and the Clerk as to how we can relieve members from these kinds of perfectly absurd situations.

The Speaker: I understand the member for Renfrew North's concern.

Interjection.

The Speaker: I ask the member for York Mills to please take his seat. What I can—

Interjections.

The Speaker: Order.

If various members of the assembly, including the member for Renfrew North, have an interest in trying to effect a better system, I know that in previous parliaments, on occasion, meetings of the chairs of committees have been convened to try to find a system that is appealing to all the members. If the procedures that were adopted in a particular committee are not working very well, by the committee chairs meeting, as they once did on a somewhat regular basis, I believe on those occasions they were able to find a little better system so that members were satisfied that proper procedures had been followed and that the committee was functioning efficiently and effectively. That may be something that committee chairs would wish to do, and if in any way I can be of assistance in that process, along with the Clerk, I would be more than pleased to do so.

Mr Conway: My point, if I might just add one final observation, Mr Speaker, is that the—

The Speaker: I ask the member to be brief, please.

Mr Turnbull: On a point of personal privilege, Mr Speaker.

The Speaker: The member for York Mills, you have a new point of order, I trust.

Mr Turnbull: Mr Speaker, my point of personal privilege is that the standing orders require you to recognize me when I have a point of order. I had a point of order which was in connection with Mr Elston's point of order and point of privilege and you did not recognize me. You then went on to recognize the member for Renfrew—

The Speaker: Would the member take his seat.

Mr Turnbull: You recognized the member for Renfrew—

The Speaker: Will the member take his seat. I have just recognized the member for York Mills, and perhaps he would kindly place whatever point of order he believes he has.

Mr Turnbull: Mr Speaker, you made the ruling before you recognized me. Since I am the only member of the Legislature on the opposition side who was in the committee yesterday, I thought my comments might be relevant.

You have in your decision noted that we should have made our concerns known to the Chair and that in fact the concerns should be brought back to the House by the Chair. In point of fact, we did make our concerns known to the Chair about the inequity and the inadequacy of the arrangement that allowed the government to drop approximately 40 amendments on the table late in the day, in the day prior to the last day of hearings for clause-by-clause. The last day commenced at 20 to 4 in the afternoon and, by the rules that had been pushed through by the government, ended at 4 o'clock. So in 20 minutes we weren't able to have any discussion about these approximately 40 amendments that had been dropped late in the previous sitting day.

That is absolutely unacceptable. Not only is it unacceptable, it violates the spirit of the rules that the government had in fact imposed on this process. How can the opposition parties be expected to do their job, which is clearly to review government business and to comment on it and to discuss it?

I suggest that my privileges have been violated. Not only that, I wanted to mention this prior to you making the ruling. It isn't acceptable, quite frankly, to the third party that you should ignore our wishes. Further, when I asked to be recognized on a point of order, you ignored me. You said, "Sit down," and then you went on to recognize the member for Renfrew North prior to recognizing me. Mr Speaker, that is not the acceptable method of this Parliament.

1550

The Speaker: To the member for York Mills, if indeed I have inadvertently offended him by the practice in the chamber, I of course apologize. I had seen the member for Renfrew North and thus I recognized him and allowed him to speak.

I do appreciate the concerns you've brought to my attention. I must reiterate to the member that, under our standing rules, what would have been necessary was for a report to have been passed by your committee and then that report brought to this chamber. I gather that no such report was created.

I take the larger issue, however, which both the member for Bruce and the member for York Mills have raised, and that is the orderly conduct of business. It's something which is always of concern to me. I've felt, and I suppose as a private member as well, that we in a Parliament deserve to have sufficient time in order to deal with public business appropriately. I understand his concerns full well. The standing orders are just as I have read them and indeed as other Speakers have ruled on similar matters, so I find that I have no other recourse.

I offer again, if it's of any assistance, that I'd be more than pleased to meet with committee chairs to see if in future we can find a way that is more agreeable to all concerned so that the opposition, the minority parties have the sufficient protection they're entitled to with respect to the debating of legislation.

Mr Elston: Mr Speaker, on a point of privilege: The reason that a Speaker is elected—at least now elected; the person was appointed, but I think the duties of the Speaker have not changed that much over the years, whether elected or appointed. Mr Stokes, Mr Turner, all of them knew, as you do, that one of your primary roles in here is to make sure that the protection of a minority in this Parliament is processed to the fullest.

Mr Speaker, while I commend you for having been able to do your research while still sitting in the chair, I find it very difficult, when the question is of this serious nature, that it could have been done with full consultation and consideration.

That apart, I won't raise more, but I will say this: Because the Speaker has the obligation to protect the minority and the way in which the rules are applied to the minority, your reading of your ruling now really means that as long as the government members hold a majority and wish to put their business through the committee, nobody who is oppressed as a minor member of a committee will ever get to complain to you, to have you intercede on her or his behalf.

Mr Speaker, that cannot be the result of the office of Speaker, who is sworn to uphold the rights of the minority to have the rules, the standing orders, applied fully and fairly right across the line.

Mr Speaker, for you to request that a majority of the members of the resources committee come to you to say, "Fix this for us," would never possibly be able to occur. It cannot happen, because there are six members of the government there and, alas, there are only five members of the opposition who are entitled to be there.

Interjections.

The Speaker: Order.

Mr Elston: There are only five opposition members who are entitled to be there. When there is a script provided that says, "Please just read out the origin of the amendment," ie, either PC, Liberal or government, "and the section, without reading more," it cannot ever come to you as a complaint of a majority number on the committee, because the majority members of that committee are doing this.

It seems, therefore, that what you have just said to me, that your role is not to be applied in the committee sittings when there is a violation of the standing orders, cannot follow if you are doing your job of protecting the minority.

My point of privilege is for you to take with you now, out of this place, for consideration, the full ramifications of my point of privilege, not to have you review what you just decided, because that is obviously against the standing orders; in fact, it is written down that it really violates the standing orders.

I ask you, Mr Speaker, on a point of privilege, who will protect me as a minority in this Parliament when the rules are violated, as they have been violated, in my view, in that committee? Further, I ask as a point of privilege now for you to provide a ruling to us with respect to when we can anticipate the question to be read out fully for consideration prior to voting. It seems to me that you are required now, having made the determination that nothing is out of order, to tell us when we can ask that questions be read for consideration before we're asked to vote and when they can be dispensed with by the majority of this Parliament.

Those two questions now are important, and if you answer and provide me with an interesting reply with respect to your duties and obligations to protect the minority from the wishes and whims of the majority, then perhaps we will have to revisit your determination of how much in order the manner in which this bill was carried with its amendments in committee has really been.

I humbly put this to you, but it is humbly put with a sense of urgency about the condition of this House and the carrying on of business in this place. If we cannot expect to know the questions about which we vote, then we cannot expect to rule with any sense of decorum in this place, because, quite frankly, there is no use in being here as long as all of those people are there.

Mr Ernie L. Eves (Parry Sound): Mr Speaker—

The Speaker: On the same point? Before—
Interjection.

The Speaker: Whoa. I'm quite happy to listen to something which is new. I remind members that it would not be appropriate to be challenging the ruling.

Mr Elston: I am not challenging.

The Speaker: I'm not referring to the member for Bruce. But if the member for Parry Sound, the House leader for the third party, has either a new point or some additional information that hasn't been mentioned, then of course I would be most pleased to hear from him.

Mr Eves: Mr Speaker, on a point of personal privilege, I would like to be and I will be very brief: Not only does standing order 21 require you to take into account matters of personal privilege, but I think parliamentary tradition and Beauchesne indeed indicate that the Speaker is there to protect the rights of the minority.

I understand about the time allocation that was passed. I think you also have to take into account the fact that this is probably the most significant piece of legislation that this government is going to introduce and pass during its tenure here. Having said that, I think it would behoove everyone, especially the Speaker, to take into account that if these amendments—the government has been looking at this legislation for several months now, as it is wont to tell us, before the end of the last session here. Surely they have done their homework and had any amendments they wanted well prepared before 4 pm of two days ago and didn't have to spring them on the opposition members at the last possible moment.

That in fact is what happened. I don't know if the government just didn't have its act together; I don't know if it just did this maliciously on purpose so the opposition

members of the committee and the opposition wouldn't have any time to look at it, but one or the other has happened. Either they are severely incompetent and they've had this legislation under their hats for almost two years now and they just got their act together last Wednesday at 4 o'clock, or they knew exactly what they were going to do and said: "We're not going to allow the opposition members to look at these 40-plus amendments. We're going to give them all of one night to look at them and then we'll just deal with them, dispense with them all."

I find it rather ironic that the person who chairs that committee is the person who spoke in this chamber in a filibuster for 17-plus hours, talking about auto insurance and talking about an individual member's right to be democratically heard in this Legislature. This is the same person who, as Chair, won't even allow the amendments to be read and just reads off a little typed summary and: "Oh, they're all deemed to be done. That's good enough for me." That's democracy Welland-Thorold style, I guess, now.

1600

This really is a problem. The government can write whatever rules it wants to write in this place, but this place is not going to work unless there is some mutual trust going both ways—it's a two-way street—between opposition members and government members.

In our caucus—speaking for our caucus only now—we had numerous amendments that were not even allowed to be debated in the committee because previous government amendments and speakers from other parties prevented our critic from even addressing her amendments. There has to be something seriously wrong with the process when this can happen, when a member like our Labour critic, who has spent months and months and months on this legislation, does not even get an opportunity to speak to her own amendments in committee because other people have usurped that purpose.

I think that is an affront to that member's, the member for Waterloo North's, parliamentary privileges, quite frankly, and I think that the tack taken by the government with respect to the government members is an affront to all opposition members and minority members in this place. This place is only going to work if everybody wants to make it work. If the government is going to spring 40 amendments, for whatever reason, either because it's incompetent or malicious, on opposition members at the last moment, then the place is going to grind to a halt.

Hon David S. Cooke (Government House Leader): There are always three options.

Mr Eves: I say to the government House leader—he says there are always three options. Well, the option for you, that you're going to be left with, I can tell you, is that if you want to introduce a simple bill like the parking offences bill, you're going to have to introduce time allocation on every single bill you ever introduce in this place from here on after, and you're going to have more problems than you can handle. You'll get five pieces passed, max, every sitting.

I've said it all, Mr Speaker: Either you can do something about it or not do something about it and we'll grind this place to a halt, and we will do it.

Ms Dianne Poole (Eglinton): Mr Speaker, I have new information to add to this debate. It revolves around a procedure that occurred in the general government committee that impinges directly on the member for Bruce's point of privilege.

In January 1992, we were in debate on the rent control bill. At that stage I had a four-page amendment—one amendment that was four pages—and I was quite sick and losing my voice due to laryngitis. I asked for unanimous consent to deem it to be read into the record, since it had been distributed to all members.

The clerk, who was a very experienced clerk and very knowledgeable, conferred with the Chair and the instructions were that it was impossible, even with unanimous consent, to deem it to be read, that it would have to be directly read into the record. The reason for this was protection both for committee members, so that the actual words would be recorded, and secondly, for protection of the public.

I am now in a quandary. On one side I've been given directions saying one thing, that they must be read into the record for protection of the public and of members, and in another instance I am told it is acceptable to be voting on numbers without anything, at any stage, having been read into the record. So I would like you to consider that when you are making your determination.

The Speaker: The member for Eglinton raises, again, an interesting point.

I would like to direct members of the House to a couple of principles:

One, it is very clear, both in Beauchesne and in other resources, that procedural difficulties within a committee should be dealt with in the committee.

Second, our standing orders prescribe that. It is very clearly set out in our standing orders.

Thirdly, rulings by at least one other Speaker—and, I suspect, others—have sustained exactly what I have set out today.

Fourthly, and if I may say so, in a larger context of greater importance to me as your Speaker, I believe it serves all our interests, and indeed the interests of the public, if we find procedures and processes in this chamber and within committees that are orderly, timely, and where there is a minimum of animosity, where we can in a very orderly way deal with public business. If I can be of any assistance in that regard, I'm more than pleased to do so.

If convening a meeting of committee chairs would help to set out a better procedure—obviously, regardless of what occurred, members, at least on the opposition side, are unhappy with the procedure which was followed in that particular committee dealing with Bill 40. If there is some better way to establish procedures, I would certainly be very pleased so that unhappiness doesn't spill into the House, and indeed affect all of the work which is done by the members.

I understand the concerns that have been raised by many members, including the member for Bruce, and I must say to him that it is my responsibility to uphold the rules. I do not have the luxury, nor would I want it, of interfering with the work of committees. That is not the responsibility of the Speaker, to interfere in the work of committees.

The report which was submitted by the member for Welland-Thorold is the question which is now before the House, and the question for the House is: Shall this report be received and adopted?

All those in favour of receiving the report will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members, and a 15-minute bell.

The division bells rang from 1606 to 1621.

The Speaker: Would all members please take their seats.

All those in favour of the report submitted by Mr Kormos, please rise one by one.

Ayes

Abel, Akande, Boyd, Buchanan, Carter, Charlton, Christopherson, Cooke, Cooper, Coppen, Dadamo, Farnan, Ferguson, Frankford, Gigantes, Grier, Hansen, Harrington, Haslam, Hope, Huget, Jamison, Johnson, Klopp, Kormos, Lankin, Laughren, Lessard, Mackenzie, Malkowski, Mammoliti, Marchese, Martel, Martin, Mathysen, Mills, Morrow, Murdoch (Sudbury);

O'Connor, Owens, Perruzza, Pilkey, Pouliot, Rizzo, Silipo, Sutherland, Ward (Brantford), Wark-Martyn, Waters, Wessenger, White, Wilson (Frontenac-Addington), Wilson (Kingston and The Islands), Winninger, Wiseman, Wood, Ziemba.

The Speaker: All those opposed to the report will please rise one by one.

Mr Elston: On a point of privilege, Mr Speaker: I ask that the question be read so that I know what I am voting on, sir.

The Speaker: That the report now be received and adopted.

Mr Elston: What report, sir?

The Speaker: The report from the standing committee on resources development. The content of that was read at the table.

Mr Elston: Is that it?

The Speaker: We're in the midst of a vote. I've made it clear as to what it is.

Nays

Arnott, Beer, Bradley, Brown, Callahan, Caplan, Carr, Chiarelli, Conway, Curling, Daigeler, Eddy, Elston, Eves, Fawcett, Grandmaître, Harnick, Jackson, Mahoney, McClelland, McGuinty, McLean, Murdoch (Grey), O'Neill (Ottawa-Rideau), Phillips (Scarborough-Agincourt), Poirier, Poole, Ramsay, Sola, Sorbara, Sterling, Stockwell, Turnbull, Villeneuve.

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 57; the nays 34.

The Speaker: The ayes being 57 and the nays 34, I declare the motion carried. Bill 40 is referred to the committee of the whole House, pursuant to the order of the House dated July 14, 1992.

ORDERS OF THE DAY

LONDON-MIDDLESEX ACT, 1992

LOI DE 1992 SUR LONDON ET MIDDLESEX

Resuming the adjourned debate on the motion for second reading of Bill 75, An Act respecting Annexations to the City of London and to certain municipalities in the County of Middlesex / Loi concernant les annexations faites à la cité de London et à certaines municipalités du comté de Middlesex.

The Speaker (Hon David Warner): I might remind members that by earlier agreement of the House, the member for Grey is entitled at this point, for his party's leadoff, to opening comments, and is entitled to 90 minutes, should he wish to use that amount of time. I recognize the member for Grey.

Mr Bill Murdoch (Grey): Mr Speaker—you want me to do that now?

Interjections.

Mr Murdoch: It's okay; I have the floor. Don't worry. I'll wait until somebody gets in the chair and wait till some people move out so they can listen to me. Isn't that a good thing? We don't have a Speaker right now.

We want a whole hour and a half.

The Deputy Speaker (Mr Gilles E. Morin): Would you please take your seats for a moment. We'll just wait until the House clears.

The member for Grey.

Mr Murdoch: Could we reset the clock, please, for the time I lost making that speech? Is that permissible? We lost about five minutes there when people were leaving the House, and I wondered if we could have the clock reset.

The Deputy Speaker: It's your time, if you people want to make noise. I won't give you more time. If people respect the rules of the House, then they will listen to what you have to say. So the member for Grey, please.

Mr Gregory S. Sorbara (York Centre): Say something. Just say something.

Mr Murdoch: "Say something." Okay, I will say something. I'll say I'm very pleased to speak today. I'm also pleased that you gave me unanimous support yesterday when I wasn't feeling so well. I have a cold, you know, and it's sort of like the NDP government: something you don't really want, but it's there and you have to put up with it, and it gives you a headache.

Interjections.

The Deputy Speaker: Order.

1630

Mr Murdoch: I thought that might be a problem. As members will know, I feel strongly that local issues should be decided by local people and not by a bloated

bureaucracy at Queen's Park who rarely know what's going on and who rarely leave Queen's Park unless it's for a holiday into the country.

Before summer recess, I presented petitions to this House from countless people who will be affected by this legislation. They are deeply concerned and united in their opposition to this bill. They dislike not only the legislation but also the process which brought this bill to the House.

The minister says that this is a unique situation and it will never happen again in the province. This is very interesting, Mr Speaker. I am sure you will excuse me if I'm a little doubtful. I remember the heavy-handed behaviour of this minister towards the county of Grey when this minister and the Minister of the Environment flew into Grey county and went right to the county council, which had an act, the Planning Act, which outlined certain procedures to set up a planning approval committee.

This very minister went to the county council, along with the Minister of the Environment, and told it that it could no longer create severances in Grey, that he was the boss and they had better listen to him. Now he comes along with the procedure here and talks to the city of London and the county of Middlesex and tells them, "You're going to do it my way," and expects us to believe that this won't happen again in this province.

As I said before, I do not like the process which produced this legislation. The minister says there was a wide consultation, but the letters I've been receiving say there was limited public input. I'm also led to believe that although the province appointed a negotiator for the people of Middlesex, they think he did very little negotiation but a great deal of capitulation.

The minister decided he couldn't get his way, so he sets up an arbitrator, gives him his walking papers and tells him, "This is the way I want to see it done," and the arbitrator goes in. He lets on that he listens to a few people, but the whole process was flawed. I believe he was told what to say right from the beginning. The minister could have had his staff make up the papers and tell him what to do.

As an example of those who feel left out of the process and who are directly affected, I would like to read a letter I received from Philip and Rose Rubinoff of Westminster, who wrote to each of us outlining their views in this matter. This is a letter without prejudice and sent to me by Mr and Mrs Philip Rubinoff. This is what they tell me:

"(1) That a democratic society is government by the people through their elected representatives favouring popular rights.

"(2) That during the past 11 years the majority of negotiations of the above agenda were held behind closed doors; thus not allowing the people concerned access to correct and proper information, therefore allowing very limited public input during these negotiations. Thus the people of London and Westminster were not given true and complete awareness in order to form proper opinion, which would effect good decision and, if necessary, proper presentation, should arbitration be required. London council would not allow public access during this time.

"(3) As arbitration was deemed necessary by the Ontario provincial government Minister of Municipal Affairs, any appointed arbitrator should be appointed by the majority rule; agreed upon by both bodies of elected council representatives. The arbitrator should also be experienced in the process and with private residence in an outside locality, so as to be impartial and holding no personal interest in the area of concern. Therefore, each side of the argument could be presented fairly. In the case of London versus Westminster, the selected arbitrator resides in London and was hired by the government of Ontario to act on London's behalf, asking Westminster to prove itself. This does not show equality and appears biased.

"(4) The elected member of provincial Parliament, Irene Mathysen, never once publicly addressed this issue to her constituents during the process.

"(5) The Minister of Municipal Affairs, Dave Cooke, did readily accept the Brant report recommendations and was quoted as stating to the people that this process was a 'done deal.' Further to this, this statement was given and printed prior to any legislation and implicated that the voice of the people now be silenced, without any right to recourse. As the voice of the people wish to seek recourse, due to the above points 2 and 3, Mr Cooke has changed this proposed legislation from the Queen's Park fall agenda to immediate time, in order to push this decision through legislation. This action raises questions as to the democratic nature of the entire process in which Mr Cooke was involved regarding the annexation of London versus Westminster.

"(6) Mr John Brant, the appointed arbitrator, stated that all of the people of Westminster were unclear, other than Ben Veel. During the Westminster council meeting of April 13, 1992, Mayor Ben Veel stated to the people that Dave Cooke was his boss." Can you believe that? "He was immediately informed that we, the residents of Westminster, are his boss. Therefore, where is the democracy? It is clear to us that Mr Veel does not represent the people of Westminster. Mr Veel's statement implies that during the closed-door sessions held in London, the people of Westminster were not represented.

"(7) It is our opinion that this entire process appears to be a too-well-orchestrated program by the city of London and Queen's Park.

"(8) It is our opinion that the city of London cannot financially support the new areas given to it by the Brant report. Since this report has been published, London city council has announced many budget cutbacks within its existing boundaries.

"(9) It is our opinion that the arbitrator's recommendations allow the newly annexed areas to become open game to unwanted pollution and speculative, environmentally unsafe conditions (ie, seepage into well water from an expanded landfill site).

"(10) The New Democratic Party's long-standing platform has always been against ever doing this kind of thing (land grabbing and urbanization) to the agricultural and rural areas. Is this just one more reneging we are going to have to live with? Is this the hypocrisy we should come to expect from the governing party? Is this annexation deal

going to set a precedent needed to move against other areas in Ontario? (NB: Winnipeg just returned their annexation area to the municipalities.)

"(11) It is our opinion that any elected NDP member of the provincial Parliament who truly believes in a democratic system should cross the floor."

Well, I don't know whether we want that to happen or not, but this is from someone else.

"(12) It is our opinion that small and local municipal government, accessible to the voice of the people, is needed to fairly represent the areas in which the elected representatives act upon their area's behalf. To eliminate this method would be to eliminate favouring rights of the people of Ontario."

They have both signed this letter. Now there's one of the people affected by this who has very deep concerns.

I also would like to read a letter from a group called Citizens Against Annexation, who disagree with the process which was used.

"We, the Citizens Against Annexation in Middlesex county, are writing to express our outrage and disappointment with the Brant report on the greater London area. The Brant report is the result of an arbitration process imposed on the London-Middlesex area by the Ministry of Municipal Affairs, and its conclusions will form the basis of legislation on this annexation.

"This arbitration process was an elaborate sham for two major reasons:

"(1) The provincial terms of reference were restrictive and precluded the exploration of reasonable alternatives; they were predisposed to a city of London solution.

"(2) The choice of an arbitrator, one person, who was a London resident and businessman with no prior municipal experience, without the knowledge or consent of the parties involved, to make decisions affecting the lives of nearly 400,000 people, is plainly undemocratic and not in keeping with 'traditional' arbitration processes."

1640

This is the whole problem. We already had an act we could deal with, but the Minister of Municipal Affairs, in many ways, chooses to ignore the act and then decides to go on his own and make a new act whenever he feels like it. Then he tells us: "It doesn't matter. I won't do this again." Well, I'm sorry; the Minister of Municipal Affairs is doing this all over the province, wherever he likes. If it doesn't suit his ideas, then he imposes them. He brings a bill in here. He has the majority of the people, the majority of the voters in this assembly. He can push these rules through and this is what he's doing.

It doesn't matter what the governments in the past have done. This socialist government decides that it is going to change the face of Ontario whether it's good or not. In the municipal field there are a lot of people upset, and this is just one of the cases that has been brought forward.

Mr Allan K. McLean (Simcoe East): No consultation.

Mr Murdoch: They let on they consult with the people, but if you ever go to any of the hearings, most of them just sit there with their ears closed.

Anyway, to go on with this letter that I received from the Citizens Against Annexation:

"The 12 public hearings were meant to be consultative and the overwhelming majority spoke against any large-scale annexation. Yet the Brant report came out totally in favour of the developer-driven city of London position that only large urban centres have the capability and resources to manage growth."

The Brant report gave London more land than it ever even asked for, and it just pretty well depletes the county of Middlesex of its land.

Mr Sean G. Conway (Renfrew North): Pretty hard to believe, eh, Bill?

Mr Murdoch: Especially when they didn't want this land, it's hard to believe, but it isn't, I think, if you look at it that we're dealing with a socialist government. Their decision is: "It's our way or no way. So we'll pick the arbitrator and just push it on through."

Mr Conway: What about Irene Mathysen? Surely she was there.

Mr Murdoch: Someone mentions, "Where was the member?" The letter before this said that she never spoke up. They don't know where she went—maybe holidays; we'll never know. I'm sure we'll hear from the member before we're done.

"The Brant report does not address the Middlesex 'region' in a farsighted, in-depth way. It pays lip service only to vital issues such as protection of agricultural land, and the environment and provision of services. Compensation to Middlesex county is a pittance...and an insult."

This is a from a group that is totally against this and would have liked to have sat down and looked at the issue. They urge all members in here as responsible thinking individuals "to vote against the implementation of the Brant report for the following reasons." This would be for the Liberals, Conservatives and the socialists, that they could listen to this and maybe they could make some decisions on their own.

"(1) The process was flawed. It was undemocratic and predisposed to an urban solution."

They call themselves—what is it?—New Democrats. Maybe that word should be taken away from their name. I think the word "socialist" fits very well.

"(2) The annexation 'solution' lacks vision and does not address long-term need for the provision of services for the whole region of Middlesex.

"(3) The Brant report is premature. No decision on this dispute should be made until the 'Sewell commission on development and land reform' has tabled its final report and some meaningful legislation has been introduced."

I sort of have to disagree with them on that, because I think whenever we see the Sewell commission's report, there won't be anything in there that will be much to deal with either. I feel it's been a flawed report right from the start, sending somebody like Sewell out into the country to decide how we're going to plan our areas, someone who probably didn't even know how to get out of Toronto until somebody gave him a car and drove him out of Toronto. He came up with the idea that there wouldn't be any more

septic tanks in the rural areas. I guess he's going to have London put sewers all through this new annexed area. It's going to be fun how Sewell can figure that one out, but I'm sure he's working on that solution right now.

"(4) Acceptance of this report contradicts NDP policy on the protection of the environment and agricultural land. Despite what Mr Cooke says, historically an urban municipality will not protect agricultural land from development and will sacrifice the environmental integrity of industrial and residential development."

That's why London wanted some land. I'm sure London's council does not want to get into farming. Are they going to have London farmers now coming and looking for solutions to help them out? I mean, why does a city normally annex land? Normally, they annex land so that they can build factories or build homes, and here we are, giving them all some of the best farm land in Ontario to do this, and they didn't even ask for it. The only thing the minister can do is withdraw this bill and maybe try again. We'll go on now and talk a little more about this.

Mr Rubinoff touches on the matter of agricultural land in his letter. Apart from the process, which seemed very flawed to me, the farm land also is one of my greatest concerns. The minister says he will guarantee the preservation of a huge package of farm land, which now becomes part of the city of London, by helping the city to draw up its official plan. Is that going to protect the farm land? But I do not understand why he is going to all this trouble.

I agree that prime farm land should be preserved for agricultural use, but if the minister is so keen on doing this, why is he putting all this land into the town of London? He's only going to preserve it for 10 years. What happens then? Maybe the minister knows something we don't know. But after 10 years, are we not going to need food to live on? Is it okay to save the farm land around Toronto for just 10 more years and then just gobble it up and put on more houses?

Does the minister know this? Has he got something up his sleeve that we don't know about? I'd like him to answer that. Ten years; that's really great. For 10 years, we're going to save some good farm land, but after 10 years I guess we're not going to eat. It leaves a lot of questions to be answered.

Also, farmers don't want to live in the city. Farmers want to live in a rural setting. As you know, we've had many debates in here, and we've seen in the papers that there are always problems if your farm is too close to urban dwellings. Now we're going to have a city and the farms altogether. Again, maybe the minister knows something. Maybe he knows how to get rid of waste so that we can spread this waste on the land. It's not going to smell, so the town of London will enjoy it.

There are, as I say, a lot of questions that are left to be answered. Are we now going to have the London Federation of Agriculture? We have the Middlesex County Federation of Agriculture now. I presume the minister will be presiding over the foundation of the new federation of labour—of agriculture. I know he'd love to call it the federation of labour, but the London Federation of Agriculture.

Mr McLean: Are you going to use all the time? Are you going to 6 o'clock?

Mr Murdoch: I don't have to. I'm just talking here to my learned friend the member for Simcoe East. Through you, Mr Speaker, I know that he would like to speak on this also. If I make some of my further comments shorter, I will speak maybe up to 5 o'clock, and then I will let somebody else speak, because I know other people—

Mr Steven W. Mahoney (Mississauga West): Oh, keep going. We're enjoying this, Bill.

Mr Murdoch: Yes, I know you are. I don't want all the members to go to sleep, either. I also would like to read a letter from the Middlesex County Federation of Agriculture. Let's see what they have to say about this whole thing. It's addressed to me.

"In the last two weeks of June, the Minister of Municipal Affairs, Mr David Cooke, repeatedly said that the agricultural land in the new city of London would be the best protected in the province. The draft legislation—presented for first reading on June 23—makes no reference to agriculture, let alone the protection of agriculture.

"The agricultural land surrounding London is the best land of that surrounding any city in Ontario. As rated by the Canada Land Inventory system, 100% of land surrounding London is class 1 to 3. This is the most productive agricultural land. Chatham is the only other urban centre in the province which has 100% class 1 to class 3 land. Kitchener is only 65%; Kingston is 54%."

Just to stop there for a minute, that's some of the best land we're talking about, and they're going to put it in the city. Mr Cooke and Mrs Grier may come up to Grey county and tell us we've got to protect all this farm land. We're lucky to have very little class 1 land up there in Grey county. It may be a little better in Bruce. Yet, "Don't build anything on this rough, stony land," up in our area. "Let's build it all in London, on the good land." Again, he must know something: We're not going to have to eat in a few years. I wish he would bring that to the House.

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I'll go on to tell you what the federation of Middlesex has to say:

"Prior to the last major annexation in 1960, London had a density of 32.01 people per hectare. By 1988, when London initiated the annexation process, the density had fallen to 16.89 people per hectare. In the same year the average density of southern Ontario cities was 27.7 people per hectare. Obviously, London city council has not acted as a responsible steward of the best agricultural land in the province—a non-renewable resource of very finite supply.

"The new buzz phrase in Ottawa, as a federal election looms nearer and nearer, is that 'Canada must have a national food security policy.' The province of Ontario is placing some of the best agricultural land in Ontario into the hands of a large urban centre with a questionable record regarding land use. The Ontario Ministry of Agriculture and Food has worked endlessly and continues to work towards long-term sustainable agriculture. The London-Middlesex Act of 1992 must ensure proper handling of this large mass of the best agricultural land. Without proper

handling, there may not be farmers in Ontario—then where would Ontario's food security come from?"

That's what we're trying to ask the minister.

"Two things are needed to protect agricultural land. One is the actual preservation of farm land. The only method of successfully accomplishing this is to establish density requirements that urban municipalities have to achieve. A city such as London, on the best agricultural land, should have to maintain a density higher than the provincial average. Obviously, with the record London has, provincial regulations are required. With no provincial regulation, the core area of London will continue to decay as all development occurs on the urban fringe.

"The second thing that is needed is the legislated right to farm." I know we've been looking for that for some years. "The protection available to farmers is currently accomplished by the agricultural code of practice"—which is highly out of date—"but it is only a code and, as such, it does not have to be followed—if it is adopted by the city. As well, the separation by municipalities of agricultural land and urban setting minimized the rural-urban conflict. Without right-to-farm legislation, agriculture won't survive in the new city. Nuisance complaints by city dwellers, as well as petty crimes such as trespassing and dumping, would hamper farmers and possibly legally force the farmers to stop their normally accepted practices."

That is what we're trying to tell the minister: that his whole process is flawed.

"Part of the arbitrator's report, which was the basis of the provincial draft legislation, was that the city was to direct planning and growth. This is not in the draft legislation. With an undeveloped land base of this size the city has to take charge to prevent an even worse urban sprawl than exists now. The city of London, as publicly stated by Deputy Mayor Burghart and Controller Hopcroft, the mayor's designate on the transition team and head of the Association of Municipalities of Ontario, still plans on being developer-driven.

"Agriculture is a long-term business. As such, better decisions could be made with a long-term zoning designation. With the size of this annexation, lands further from the present urban area could be designated as agricultural for longer periods of time—up to 50 years for annexed lands further from the core.

"The only way that agricultural land can be effectively administered is to have its own municipal government, not to be administered by an urban council with minimal rural representation. Government by peers is a basic Canadian principle and this is not possible under the current system of municipal government in London. The closest that the rural community can hope to come to this is to get a sub-committee of appointed persons who would report to city council. This committee would have no legal power and would continue to be frustrated, running from committee to committee, trying to exert some influence. City council itself will always be in conflict as what makes a successful urban area is the opposite of what is needed in an agricultural area. While a severance would make better use of existing services in an urban municipality, it could lead to potential conflicts in rural, agricultural areas.

"Bylaws are simply that—rules made by a municipal council, and as such can be replaced by city council. Agriculture needs its concerns addressed in the provincial legislation to ensure that these concerns are adequately handled."

That's from Doug Duffin, annexation committee, Middlesex Federation of Agriculture.

This shows the concern we have on this side of the House about what will happen in London if they get all this land they've asked for. The minister once again is clearly not listening to the people. As you can see from the letters we got from all sorts of different walks of life, they're concerned that this whole process is flawed. The big thing about it is that we did have an act to go by, but this minister did not want to use that act. We have a boundaries negotiation act, and that would have worked in this case. But, as we say, the minister wants to go off on his own, show that he's the boss and show that he can do things his way. It doesn't matter who gets in his road; he's going to railroad over them.

This has also been noted across the province. County council in Grey has provided me with copies of a resolution it passed in support of Frank Gare, warden of the county of Middlesex. I would like to share Mr Gare's letter with the House. Mr Gare's letter went to the warden of Grey county, Mr Wepler:

"As you may be aware, on March 30, 1992, the Minister of Municipal Affairs presented the city of London, the county of Middlesex and adjacent municipalities with the report of the greater London area arbitrator, which would allow the city of London to triple its area.

"The process was supposed to be an open public process, with 'town hall' style meetings to hear the views of the public. Hundreds of individuals and organizations prepared and presented submissions to the arbitrator. Their arguments for limited annexation of land to the city, requests for protection of agricultural land and the environment and the preservation of the rural way of life went unheeded.

"The result tripled the size of a city which already has one of the lowest population densities in the province. Among other things, the report is recommending the discontinuance of the city's financial support to suburban roads after 10 years, compensation is insufficient, and time lines for the compensation of an official plan and restructuring study are unrealistic.

"Middlesex county and its local municipalities have recorded their opposition to the report.

"The method in which the minister has made his decision may result in future decisions affecting many areas of the province. If your council supports this county's opposition, please advise the Premier of Ontario, the Minister of Municipal Affairs and your local members of Parliament." It's signed by Frank Gare, the warden of Middlesex county.

You see, they have many problems with this whole thing.

Again, to go back to it, London didn't want all this land. This is one of the big problems where we have a

minister who has an ego bigger than anyone's here and decided that he would just blow it up even bigger.

I'd like to read you the resolution by the county of Grey, and it's sent to the Honourable David Cooke, Minister of Municipal Affairs:

"Honourable sir:

"At the May 22, 1992, session of Grey county council, the following resolution was adopted:

"That the agriculture, planning, tourism and economic development committee recommend that county council support the county of Middlesex in their arguments for limited annexation of land to the city of London, and that the motion be forwarded to the Premier of Ontario, the Minister of Municipal Affairs and local members of Parliament."

A copy of this letter was sent to Middlesex and was carried.

So you see, I know there are many other counties in Ontario that are concerned about what is happening here in London, that it won't happen all over. What it'll do is cause problems with the counties and the cities in the other areas. We have Peterborough and Peterborough county, in my area we have Owen Sound and the county of Grey, and I'm sure with Guelph and the county of Wellington and the areas around that. We have Orangeville, and Dufferin could run into problems. If they're given time they can work out their own problems, but with this kind of heavy-handedness it won't ever work and people won't be happy.

Also, the government's action has been noted in Huron. I have a letter from Huron which was also sent to the Premier. This one was addressed to myself, and it says:

"Dear Mr Murdoch:

"Huron county council, like other councils, was asked by the county of Middlesex to support Middlesex county's opposition to the report of the greater London area arbitrator.

"Huron county council has commented to the Minister of Municipal Affairs that it had reservations about the arbitration process for boundary-related matters when the arbitrator was originally appointed.

"Rather than make a blanket statement of opposition, county council deferred comment until the actual legislation was introduced in the Legislature.

"Your assistance has been requested by county council to make sure that the legislation is referred to the appropriate committee for review, and possibly for public hearings, given the wide-ranging impacts of the process."

1700

After the discussion has taken place, I hope we do get it sent out for some more discussion and that the minister does listen. This is the problem we have. We go to these committee meetings and we find that the ministers of the day do not listen to what the people actually have to say. It makes a farce of the committee meetings, like we've gone through on Bill 40, before we had a chance to speak on this, and all the problems we've had there with the government introducing new legislation and not allowing anybody to have any chance to speak to it.

Mr Ted Arnott (Wellington): The registry office closes a year ago, the same thing.

Mr Murdoch: My friend from Wellington talks about the registry offices that have closed. There was no consultation, just heavy-handedness: "We're the government. We're socialists and we can do what we want." That's the kind of government we're going to get for another two years, unfortunately, a socialist government that doesn't listen to the people. They only listen to themselves and just ignore what the people in the country want, and have been doing it for two years. Unfortunately, they have two more years. It's like my cold. I hope it doesn't last for two years like they're going to last.

I would also like to tell the minister that annexations can be done in a better way, that he doesn't have to create bitterness between the people on the two sides. I could talk a bit about my own process with the city of Owen Sound. We do have the Municipal Boundary Negotiations Act, and the minister, if he wanted to, could have gone that way.

He rambles on sometimes and tells us that it took 11 years. In all those 11 years, there wasn't any negotiating going on. When he took over as Minister of Municipal Affairs, which he has been for the past two years, if he had wanted to solve the problem, he could have gone in on his own and done that.

As I said, I was going to talk a bit about the experience I had when I was reeve of Sydenham township. I have to give credit to the Liberals of the time. It's a hard thing to do, but I will have to give them some credit on this. They were in power when this happened and they went by the act. Their minister appointed an arbitrator, but not to come and tell us what we were going to have to do. He came in and sat down the two parties, Sydenham township and the city of Owen Sound, and he explained it to us. They also sent out a fact-finder first. They may have done this in London, but I doubt it; if you count the Brant report as a fact-finder, that isn't what's done.

They sent out a fact-finder first to figure out whether the city needed annexation in the first place. The fact-finder said: "Yes, they do. They want to grow, and the only way they can grow is to annex some of the land." That's what came out first in the report.

What the government of the day did was to send in a person to negotiate—maybe a negotiator would be better than an arbitrator, but it was a negotiator—and he sat down and brought in the Sydenham council, of which I was reeve, and the city of Owen Sound council. Ovid Jackson was the mayor at the time. Now, the whole council from the city didn't come, but our council was made up of five members and it brought five members in.

At that time, the township of Sydenham had no reason to allow any annexation to happen. We were quite happy with what we had, but we understood that the city had to grow. With the negotiator's help, we sat down and started negotiating the different parts of the land they wanted to take.

Some years before that, in the 1960s, they didn't do that until the bill was changed. What happened then was that a city would say it wanted so much land, and it normally got it from the poor rural people who didn't have a chance to fight it. That happened in Sydenham, and the people in that area have never forgiven the city. There's

always some bitterness if you go into the original annexation area back in the 1960s. There's always bitterness that the township wasn't compensated for what they got.

When we had the annexation between Sydenham and Owen Sound, the government of the day realized that it couldn't have the bitterness like we're going to have in London, with the letters we've got from people who are upset. Even if London is able to take that land, even if the act is passed here and it becomes law, those people in Middlesex county who do not want to become part of London are never going to become Londonites. They never will. They will never accept that, and there's going to be bitterness. You can't have good municipal government when you've got bitterness with the people. You need them to want to get along. That's the only way London's going to be able to get along. If they're going to have to fight with these people in this annexed area, they're always going to have problems, when they could have been spending their time solving problems that arise not from this.

That's what happened originally in the annexation we had up in our area, but when this annexation happened with the city of Owen Sound and the township of Sydenham, as I said, we sat down with the good negotiator the province sent, who I know still works for the province and could easily have been sent to this one. I don't know what they have him doing now, but it's unfortunate that he isn't out solving a few of these problems we have. He made us sit down and work on the problems, and he took the small things first so we could solve the small things that needed to be annexed, and some about roads.

I want to tell you, for part of the area they were taking from Sydenham, we collected the taxes but there were county or highway roads. So in our minds, why would we let them be annexed, because we were losing money we had in the township of Sydenham. But on the other hand, the city of Owen Sound was busting and needed areas to expand. So with the guidance of the negotiator, we worked out some of these problems.

There was a new hospital being built for the region. At the time it was being built in the township of Sydenham, but now it had to go into the city of Owen Sound because it had to service it. So we had to work out those problems.

But the process was democratic. That's what we need, democracy, in Ontario, and we're losing it with a socialist government. Every time we turn around it's something new, and they're taking the rights of the people away to give a vote. Here we are again. We're just going in and saying, "This is what you'll do whether you like it or not." People will not be happy about that and you people will pay for it in two years. You're going to pay for it in two years from now: You're going to be gone because of these things you're doing to the people of Ontario, and here's another one.

I feel sorry for your member down in Middlesex. You've left her out to dry. You haven't helped her one bit on this. You're leaving her hung out to dry, and I feel sorry for her. She'll do the best thing she can to try to work out of this problem, but you're not helping her by coming in

and saying, "This is what we're going to do and you're going to live with it whether you like it or not."

In ours, as I said, we had negotiators, and those negotiators worked hard. When we weren't having the meetings, they would go to the mayor of Owen Sound and talk to the mayor and to the council and say: "Can we do some of these things? Can you give in on some of these things with Sydenham?"

They also came out to my place, right out to where I live, to my farm, and talked to me and said, "Can you work with your council to give Owen Sound"—you see, they worked on a process, but it was democratic. We're used to that in Ontario, but in the past two years we're getting unused to it because of what's happening over on the other side of the floor.

I can remember the two negotiators came up from Toronto one day, out to my place on a hot afternoon; it was probably about 80 or 90 degrees. I was fixing the fence in front of my house, and I saw them drive in and park. I had a big Great Dane dog. I thought these guys would try to come heavy on us, that they'd try every trick they could as bureaucrats to say that we were wrong and the other guys were right and would come pretty heavy. So I let my Great Dane look in at them for an hour, as they sat in the hot sun in their car with their windows rolled up.

Now, Brutus is the name of my dog. He wouldn't hurt anyone.

Mrs Yvonne O'Neill (Ottawa-Rideau): Brutus?

Mr Murdoch: When I got him his name was Brutus, so I had no choice. I couldn't change Brutus's name. He was a big dog, a big Great Dane dog.

He sat for an hour and watched these two bureaucrats roast in their car with the windows rolled up. So by the time I came up to talk to them they weren't quite as tough as they thought they would be—

Mr Jean Poirier (Prescott and Russell): Softened them up a bit.

Mr Murdoch: Softened them up a bit, and I had mentioned how Brutus hadn't had his dinner that day, so they were quite concerned. But they talked about things. They came into my house and we negotiated democratically; even though my dog sat there, it was democratically.

I wonder, though, if Mr Cooke has a few dogs that he carries around now. When he goes out, he probably lets them loose on the people, because here we are again. There's no reasoning. He just says: "This is the way you're going to do it, folks. I'm the boss. I can goose-step higher than anyone. I can walk in here and you're going to do it." The way he came into Grey county, he said: "You're a land division committee. You've been appointed legally by the act, but I don't care. I'm the minister and you'll create no more severances." He just came in there. This is a democrat; this is socialism. "I'm a socialist, I'm the boss and this is the way you're going to do it in Grey county."

1710

Mr Bernard Grandmaitre (Ottawa East): I was much better than that, eh, Bill?

Mr Murdoch: Yes.

Mr Conway: Did you ever know Darcy McKeough, Bill?

Mr Murdoch: No, I never met the man. It doesn't matter about Darcy McKeough. Some of the members mentioned about Mr McKeough, Mr Speaker. I don't need to know him. I'm here today and I'm dealing with the socialist government, as well as the other opposition party is, and unfortunately we have two years of this undemocratic process to go on with.

Who's it going to be next? Look around. It could be your town, whatever—no negotiation. They're going to come in, somebody's going to say, "I want some land," whoever Cooke feels he'll get the response from, and he'll say: "This is the way it's going to be. I'm sorry, people."

To go back to the London one, we'll talk a bit about the PUC. Maybe sometimes in the PUC we don't need all that government. But will he decide next that back home your municipal government's not needed and just wipe it out, even though it gets elected? They have two more years to run in their mandate. This January they're gone. They're just gone. They got elected, they thought, for three years. Now the minister says: "I'm the boss. I can do what I want. You're gone. It doesn't matter about the acts. It doesn't matter what kind of acts we have here at Queen's Park. I've got the majority, so I'll change them."

That's what they're doing, in every little thing, not only in this but in every facet of life in Ontario. It doesn't matter what it is. Bill 40's another one. Look at that. Whatever act you want to say: "We're going to change it. We're going to change Ontario. There's not going to be anything left by the time we get done."

Mr Bob Huget (Sarnia): Let's look at Bill 75.

Mr Gordon Mills (Durham East): Come on, Bill. We've heard it all. Please sit down.

Mr Murdoch: Good. I think I only have another hour to go; I'm sorry.

I must talk about our process and what happened in Owen Sound, because it worked, believe it or not, guys. As I said, the Liberals were in power and it worked. I know you fellows over there would have a hard time thinking anything would work coming out of our office or out of the other office, but it did work and the people are happy up there. There's nobody complaining.

Do you think this is going to work in London? Do you think London council's going to get an easy go of it? Then they didn't want all this. In this case, the Minister of Municipal Affairs is going to lose out both ways. He's upset London and he's upset Middlesex.

But that seems to be the way this government likes to operate. "Upset everybody and maybe they'll be so upset next time they vote they'll make a mistake again and vote for us." I don't know whether that's your philosophy or not, but I don't see it any other way. I don't know what other way I could think about it. I mean, you are upsetting every facet of life out there. The only ones you've probably got happy are the union bosses and there are not that many of them. I'm telling you, the people who are in the unions aren't happy with you. There's nobody protecting them now. It's left up to the opposition to protect them.

It all deals with this bill. It's just another one of the socialist moves to upset Ontario, be it whether it's in the rural area or not.

As the minister knows, on this side of the House we were in favour of public hearings; no problem. But we should have some more on this matter and I'm hoping that after today we do go out to hearings. Indeed, the minister had his own in London a few weeks ago. Unfortunately, he forgot to invite the opposition. I guess he didn't want us there. He invited the people who live there—

Ms Sharon Murdock (Sudbury): Dianne Cunningham was there.

Interjections.

Mr Murdoch: That's fine. She lives in the London area. The member from London says he was there. But you forgot to invite the critics. But of course this government on this side doesn't like criticism, though. This government gets all excited.

Ms Murdock: Dianne Cunningham was. Put that on the record.

Mr Murdoch: Now they start to heckle because they're getting a little bit of criticism coming their way. My good friend the member for Sudbury who has a K on the end of her name is getting all excited. I can't help it if your name isn't spelled right. That's not my fault, so don't get upset with me. I'm just telling you. You never invited the critics. Is it that you don't want any criticism? It's supposed to be open, a public process.

Ms Murdock: Dianne Cunningham was there.

Interjection: Dianne Cunningham was there.

Mr Murdoch: We all know Dianne was there. Dianne lives in London. Fine. The critics on this side don't happen to live in London and it happens to involve all of us. So I'm sorry over there. If you don't like a little bit of criticism, that's tough, guys. You're getting it anyway.

Mr Huget: You were on your way to play bingo. Don't give me that.

Interjections.

Mr Murdoch: Oh, okay—

The Acting Speaker (Mr Noble Villeneuve): Please ignore the interjections. They're out of order, and please address your comments to the Chair.

Mr Murdoch: Thank you, Mr Speaker, but sometimes it's nice to hear them, because the backbenchers rarely get any chance to say anything and now they're getting a chance and it's nice to hear some of their quips. Not much of it makes sense but the odd time they might.

Mr David Winninger (London South): You said you were going till 5.

Mr Murdoch: The member wants to hear more about Owen Sound. I thought maybe he was getting tired of that, but we can talk about the Owen Sound annexation more if he wants to. There's lots of time yet, so if we want to talk about that, we can talk about that.

The Acting Speaker: I want to remind the honourable member that we're on Bill 75, which deals with London and Middlesex.

Mr Murdoch: Yes, I know that. It's about annexation, I believe. There was an annexation process in the city of Owen Sound and Sydenham that could have been used to save this process. It's an act. It's already in place. It could have been used, but no, the minister wouldn't use that act. What I was trying to show is that it does work. Even though maybe this ministry couldn't handle it, it does work.

I have one more letter, though, that I'd like to read, from the PUC. Because here we are, we've wiped out the PUC, just wiped it out.

"Dear Bill:

"I am writing on behalf of the Meaford Public Utilities Commission to express our objection to Minister of Municipal Affairs David Cooke's recent announcement to abolish the London PUC as a result of proposed annexation in the greater London area. We're asking that you join with us to oppose the proposal in the draft legislation to abolish the London PUC and to return the issue to the local level for resolution."

There you are: Let the local people decide. But no, you've got to get high and mighty when you get down here at Queen's Park and get all the power. The minister says, "I could just get rid of a PUC, just wipe it out," even though it got elected. What may happen to the municipalities next? If he has this sort of power, then what's going to happen to some municipalities that may object to something he does? Next he may come up and wipe out the whole of the rest of Middlesex.

I'm glad to see the minister's here to listen to this now. I'm sure he's been listening in the back room. Now that the minister's here, I just want to tell him that this whole process is flawed. There is a bill to do this. You could have done it. It's been done before.

Hon David S. Cooke (Minister of Municipal Affairs): I've been listening to you.

Mr Murdoch: That's good. He's been listening. I was going to go all over the whole thing again and tell you.

Hon Mr Cooke: That's what I was afraid of.

Mr Murdoch: I get different notes that sometimes some other people want to speak. I don't want to hog the whole floor, but there are a couple of other issues, such as the suburban roads. This wipes that out.

Now, with the minister here, I want him to realize what he's done to upset people. People were what this party said they were for, but they lost all that as soon as they got in power. As many a time as we've looked at the Agenda for People, it's wiped right out. The agenda disappeared. They were going to be social democrats and they turned out as the worst thing—socialist, period—and they could go on. They have power and now they want to use it. "We're going to show people what to do." This is only the start.

What happens to the municipalities? That's what I'm concerned with now. We've got to try to fix this up in Middlesex. Hopefully, when we have hearings after today, the minister will listen to some of these people and will make some changes. London, in the first place, didn't want all this land, Mr Minister. Now you're forcing them on. You took one guy's report, and we don't even know

whether you wrote the report before you sent him out there.

I think, to be fair—and I said I feel sorry for her being set in this position—I will sit down and give the member for Middlesex some time to speak on this because I'm sure she would want to. I think I will do that and allow her to have some time to speak on this issue because I understand this is the last day we have to debate on it.

I appreciate the time and I appreciate the party on the other side listening. Hopefully, you took some of it to heart. Hopefully, you'll look at this issue. Hopefully, the minister will throw out this flawed process he's come up with, go back to the table and allow Middlesex and London to sort out their problems, so that we can come up with that everyone's happy in this issue—not everybody totally, but that there will be some consensus that we won't have any problems.

1720

The Acting Speaker: Questions and/or comments?

Mr Conway: I want to just very quickly comment on a couple of the points the member made. I think he's right to draw our attention to the unusual nature of this particular resolution to the London-Middlesex situation. As he points out, there have been a number of other border disputes across the municipal landscape that have been dealt with otherwise. I think he's right to point out the particular and rather different nature of the London-Middlesex situation.

I think he's wrong to leave the impression that time was perhaps short in this respect. Over the summer I met with some of the people from Middlesex county, and I'm very sympathetic to the situation in which Middlesex finds itself, but I say to both London and Middlesex that this matter has gone on for a considerable period of time. I think it is important that all parties, not just the provincial government but particularly local parties like the municipal parties of London and Middlesex and elsewhere, understand that it is important to be able to move these matters along, and one should not imagine that we have an infinity in which to bring about some kind of resolution. I simply make that comment.

The final observation I make is that as I look at Bill 75, I am struck by the kind of precedent it will set. There a number of these other border disputes that you, Mr Speaker, will know only too well. I think we've got a real problem now, because people will look to the London-Middlesex solution, Bill 75, and say: "Well, why should I engage in the normal process? Maybe if I'm in, say, London's position, I will simply try to wait out the business and hope that I get my John Brant, too." I think that's going to be a precedent that is going to perhaps come back to haunt, if not this government, certainly a successor government.

The Acting Speaker: Further questions and/or comments? The honourable member for Simcoe East.

Mr McLean: I want to comment on the comments made by the member for Grey and elaborate on just one point that he was making an observation on, and that was county planning. The county of Simcoe restructuring act is

in place, and there has been no planning to put that in place; it's there now. It's interesting that on May 29 a letter was received by the county from the minister, which indicated that there's enough land in the city of Barrie, around the city of Barrie and around the city of Orillia for 20 years. It's very much the same issue which the member has raised with regard to Middlesex; annexation is the very subject that he spoke on. Section 33 says that, prior to 2001, they may proceed with boundary negotiations with the city of Barrie and the city of Orillia.

The very point that he was trying to make is that this administration is not coming clean with the people. They're not consulting with the people. They're saying one thing in a May 29 letter and they're saying another thing in the bill for county restructuring: two totally different things. That is the confusion that has gone on in the London-Middlesex annexation, it has gone on with regard to the PUC in that administration and I can see it happening in the other restructuring that's going to take place across this province.

The point that I wanted to make to the minister, who's here today and should be listening to this very point, is that section 33 in the County of Simcoe Act indicates that the city of Barrie and the city of Orillia can proceed with boundary negotiations before the year 2001. As a matter of fact, they could proceed a week after the bill is passed. This is the type of thing that this administration is doing in the very same bill that we're debating here today. They're not coming clean with the people who are being represented and are asking for the very input that we're looking for. So I'm here to say today, in the minister's ear, if he was interested, he would have been listening.

The Acting Speaker: Further questions and/or comments? Seeing none, the honourable member for Grey has two minutes in response.

Mr Murdoch: I would like to thank both members who spoke for their responses and would just reiterate that what this whole thing is about is the heavy-handed way that the ministry's handling this. It's not only in London but in Grey and other places. The minister has also gone to Bruce county, which decided what it was going to do with restructuring, and came back and said, "You'd better take another look." He then goes and does something like this in London-Middlesex. How do you think they feel? "Jeez, if we don't look at this, he'll come up and just order it." It's the same thing in Grey county. He comes in there and says, "You've already got an appointed body, but I'm the boss, and I don't want any more of this." So it's this whole process of the socialists feeling they have the power that they can run everything out in the country.

The other thing is, is the next issue going to be to get rid of municipal governments if they don't happen to agree with Municipal Affairs and don't do it its way? We've all these new policies. The wetlands policy was introduced in the House. They don't even know what a wetland is down here in the city, let alone what they really are. They'll go up there and they'll tell you, "There's a wet field and the beavers have it dammed up." Let the dam out and the

water's gone, but you can't tell the ministry this. They know. They know everything.

This is the biggest problem we have with this whole thing. All of a sudden, Middlesex and London, in the ministry's eyes, can't get along, so, "I as minister know better, and I will pick out somebody to look after the whole thing." One person from the city of London—Middlesex had no representation on this at all—takes that report and says, "This is what you'll do, whether you like it or not."

It's called "dictatorship" in other places. Hopefully, we're not getting to that. As I said when I first started, they're a lot like a cold: something you don't want to have around, but it just doesn't go right away. If they would, we'd all appreciate it better in Ontario, if they'd just sort of fade away into the sunset and get rid of this social menace that we've got in Ontario right now.

The Acting Speaker: Further debate?

Mrs Irene Mathyssen (Middlesex): I thank the member opposite for making sure I have the time. I may also have to borrow his dog, Brutus.

At any rate, I appreciate very much the opportunity to speak to members of this House and directly to my constituents about the London-Middlesex Act. I think it goes without saying that this piece of legislation is of profound significance to the riding of Middlesex. It will impact on the lives of each of my constituents. By virtue of that impact, it is essential to look carefully at the legislation and demand the best possible solution to the London-Middlesex boundary dispute.

I would like to be very clear that I still prefer a much smaller annexation of land by London. My staff and I have worked very hard, since the release of the Brant report, to show the Minister of Municipal Affairs that while Mr Brant has provided one solution to address London's needs and the environmental problems along the fringe of the city, there are other solutions. I know that a workable, alternative boundary solution that manages to meet London's needs, preserve a strong, viable county, respect the expressed wishes of the London-Middlesex majority and fulfil the provincial interests is still possible. I'd like to provide you with some necessary background to the London-Middlesex dispute, my concerns with the bill that's before us and an alternative solution.

Annexation of land from adjacent townships in the county of Middlesex by the city of London is nothing new. Since 1826 the city of London has annexed territory from its neighbour some 15 times. The most significant annexation was in 1961, and I must say there are some in London-Middlesex who are still mad about that one.

Some of that land taken more than 30 years ago was among the best agricultural land in the country. The reason I mention this 1961 annexation is because it took the farm where my family lived and placed that farm inside the city. I remember that annexation decision as profoundly upsetting. For me it disrupted my schooling and it represented the loss of a unique and important way of life. The farming community was destroyed.

I'd like to tell you a bit about that farm. It was small by today's standards, but it had extensive orchards, pasture

land, a woodlot and excellent soil. It was A-1 land, with black loam topsoil about 12 inches deep.

That farm is essentially lost now. The city encroached on all sides. There are salvage yards, retail enterprises, a large subdivision and light and medium industry all around where farms used to be. As a result, the farm I grew up on has slowly been choked, the black loam eroded and the orchards gone to seed. That loss is still a very real loss to me. It's a loss I relived vividly over the last 24 months. It's a loss I feel very keenly today.

Bill 75 has given London extensive land areas, including working farms, some 64,000 acres, including most of the town of Westminster. Despite the stated intention of the Minister of Municipal Affairs that the land will be protected by regulation and remain largely undeveloped, the fact is that once a city gains control over land, the land use slowly but surely changes to that of an urban centre. The pressures for development will be enormous.

1730

Now, I know London is compelled to create a new official plan by 1995, one that will reflect a new planning direction. But I am convinced by the actions and attitudes I've seen that the city of London—the same city that has permitted monster homes, development in sensitive areas like the Thames River valley, has allowed the destruction of important Carolinian woods, allowed its downtown core to die, allowed developers to bring down the historic Talbot block and the first London town hall, despite the efforts of the member for London South, so that London could have yet another parking lot—will not suddenly and permanently be converted.

By their own statements, members of city council have declared that responsible land use and efficient use of services are not part of the agenda. Recently, in response to a provincial proposal to allow apartments in single-family homes, to increase the land use densities, provide affordable housing and maximize the use of expensive services, the city of London's response on August 31 in the London Free Press was—and I would like to read that:

"London is fighting a proposal by the Ontario government to allow apartments in every single-family home in Ontario and also allow the similarly widespread installation of granny flats in residential backyards. With unusually strong language, council unanimously approved an official response earlier this month which denounced the draft legislation.

"It is absolutely terrible for the future of Ontario. Cities across the province are raising the public consciousness over this issue because of the negative ramifications for the way we live," said London Mayor Tom Gosnell. Gosnell said, 'The public meeting is just part of the strategy to build a solid wall of opposition to the legislation.'"

The city of London is supposed to receive and protect thousands of acres of A-1 and A-2 agricultural land and the farmers who steward and produce the food from that land. As recently as last Friday I chaired a meeting of a group that is supposed to determine a way to ensure that rural Londoners' concerns are met by the city council. It became very clear that the city's restructuring committee was not

prepared to take direction from a committee that had been struck at the request of the Minister of Municipal Affairs.

My worst fears have been confirmed. The city of London cannot and will not protect this agricultural land and the farm community in the future. It must not be allowed to annex such an extensive area. There must not be a repetition of 1961 and the legacy of an annexation that saw London increase its land base fivefold, double its population and despoil the farms that became part of the urban centre.

After 1961's annexation, it took the county of Middlesex nearly 20 years to recover from the loss of assessment. That's why, when in 1981 the council of the city of London adopted a strategy for growth for future annexation of lands from the townships of Westminster, London, North Dorchester and West Nissouri, there was strong and very vocal opposition. The 1961 annexation was supposed to have provided for London's growth well into the next century and accommodated a city population of 500,000, and yet only 20 years after that massive 1961 annexation the city was once again asking for more: asking for a 15,000-acre annexation from neighbouring townships.

The city's announcement prompted an organized anti-annexation campaign from the county. The county's argument: that annexation of county land to the city would reduce the county tax base and force up property taxes. There was also considerable debate about the city's right or need to govern the developing urban fringe adjacent to its boundary.

Over the next few years, there were a few small annexations, however. But by 1988, London made it very clear that it was looking for more land than these smaller annexations had afforded, so in January 1988 city council passed bylaws to start the boundary negotiations process with West Nissouri, North Dorchester, London and Westminster townships. By June 1988 the city had abandoned plans to annex parts of North Dorchester and West Nissouri and decided instead to proceed with plans to seek lands from Westminster and London townships. Some 23,000 acres were requested and a joint servicing approach proposed.

I'd like to read from that 1988 city submission:

"In Westminster, concern exists over the possibility of the city annexing Lambeth and the town's industrial-commercial area along Highway 135 and White Oaks Sideroad. This topic was the subject of review during the boundary adjustment study, and the conclusion was reached that in order for Westminster to remain a viable municipality, these areas should not be annexed. Despite this position, there remains a concern over the servicing of the industrial-commercial area.

"The boundary study has concluded that a cooperative approach to the servicing of this area would be the best solution for all parties. By taking this approach, the town would retain much of its major industrial-commercial base and would appear to be able to undertake the necessary servicing schemes. The city, on the other hand, would acquire land for future industrial development in an area where it would be marketable and would benefit the entire region."

That is the key to the solution. The boundary dispute must be settled to benefit the entire region, for in disadvantaging one of the partners in the future planning and governance of London and Middlesex, you are undermining the future. It is not possible for a healthy London and Middlesex community to evolve unless both partners have the economic resources, effective planning and restructured governing bodies that are necessary to that healthy community.

The 1988 London proposal recognized that Westminster could not survive without its industrial-commercial development, and interestingly enough, so did Mr Brant. That's why, when he awarded that area along Highway 135 and White Oaks Sideroad to the city, he required the city to take all the town of Westminster.

Mr Brant's proposal for a huge annexation is not new. In the spring of 1990, the Liberal Minister of Municipal Affairs, John Sweeney, rejected the 1988 London proposal as not comprehensive enough and told the city and county annexation negotiating team to go back to the bargaining table and find a solution that consisted of a larger annexation so that joint servicing of the Westminster industrial-commercial areas would not be necessary. Mr Sweeney believed that joint servicing agreements do not work. The present minister has also stated that joint servicing agreements do not work. That is the basis for this massive annexation.

Both ministers are wrong. Ironically, that is clearly evidenced by both experience and, of all things, the Brant report. The city of London and the county of Middlesex have traditionally worked together through city-county committees. They have jointly run suburban roads, library services, disaster relief plans and the health unit. Coservicing agreements exist that provide services to the London airport and provide water to Delaware, Ballymote, parts of Westminster and Arva. In fact, the Lake Huron water pipeline runs through the county of Middlesex. That pipeline was possible because of city-county cooperation and has proved beneficial to the entire area.

The Brant report recommends that a city-county liaison committee be established "to consider and manage those issues of common concern to both municipalities," to make both county and city stronger through a cooperative action. Mr Brant goes on to say:

"This committee must aggressively look for opportunities of mutual support such as industrial development, parkland and environmental programs, and seek to prevent planning conflicts that could interfere with future development."

Of shared services, Mr Brant says: "There are some circumstances where I believe that intermunicipal agreements are in the best interest of the area. These would include the purchase of water from the city by neighbouring areas such as Delaware, Arva and Ballymote, or the purchase of sewage handling by areas such as Arva and Ballymote."

If such agreements are possible, then why annexation? If such agreements are possible now and were possible in 1988, why on earth such an extensive annexation? If such agreements are possible, why not extend the sewage trunk

line in London West to South Winds Village in Westminster while it's part of the county of Middlesex? Because that is what London will do once it's part of an expanded city. After all, this government is the government of partnership, and partnerships that will strengthen the community are important.

1740

One of the arguments against the coservicing proposal is the mistaken belief that—

Interjections.

The Acting Speaker: Order, please. The member for Middlesex has the floor and the Speaker has a great deal of difficulty hearing her. The member for Middlesex.

Mrs Mathysen: Thank you, Mr Speaker, and I would appreciate genuine help, rather than this interruption.

One of the arguments against the coservicing proposal is the mistaken belief that Westminster and Middlesex cannot afford services. The truth is that the town of Westminster has a debt capacity of \$6.5 million and less than \$250,000 of debt. This lack of debt is the direct result of a user-pay approach. The reserve debt is enough to expand service areas as needed and expand the two sewage treatment plants owned by the town of Westminster to meet its servicing needs.

A second argument against coservicing emanates from the dispute that is centred on the Dingman Road sewage treatment plant, one of the two owned by the town of Westminster. In 1959, the city of London and Westminster agreed that London could utilize the excess capacity of this treatment plant to ensure its operational efficiency. For a number of years, this joint-servicing agreement proved mutually beneficial. The city was able to divert 250,000 gallons of sewage from its Greenway plant, thereby reducing the number of days per year when there would be bypassing to the river from Greenway from 28 to 23, and Westminster was able to collect capital charges from the city.

By 1985, it was clear that Westminster needed the excess capacity of the Dingman plant to service its industrial-commercial development on Highway 135 and White Oak Road. Unfortunately, the 1959 agreement did not include provisions for Westminster's future needs. Clearly, successful coservicing is dependent on enforceable and well-thought-out, mutually beneficial coservicing agreements. This can and must be the basis of the resolution to the London-Middlesex boundary dispute. It is possible and it would prevent the mistake of allowing London such extensive areas that Westminster will cease to exist and Middlesex county will lose 35% of its tax base.

This loss of tax base will seriously impede the county's ability to finance the services, roads, libraries and homes for the aged for which it's responsible. This loss of tax base will also seriously impair the Middlesex County Board of Education to provide educational services to our children. Despite recent proposals to increase the compensation package to the county, no compensation could effectively remedy a financial loss of 35% of the tax base.

My fear is that over time Middlesex county will begin to disintegrate. There have already been tentative overtures

by some Middlesex townships to align themselves with other counties and I regard the possible breakup of Middlesex county as a tragedy and a terrible loss for all of us.

I've mentioned the compensation that London is required to pay as inadequate for a sustained county. I would also like to discuss the costs that Bill 75 will require the city of London to incur. Under the London-Middlesex Act, the city of London is compelled to remediate the environmental problems of South Winds, Canterbury Estates, the Highway 135-White Oak sideroad commercial-industrial area; harmonize wages and benefits between PUC and city employees; employ displaced Middlesex staff; pay in excess of \$20 million in compensation; pay a proposed perpetual contribution to suburban roads, at least \$1 million per year; eventually provide police, fire and library services in the annexed area; take over provision of hydro services and a greatly expanded road system.

In addition to this lengthy list of costly obligations are considerable expenses connected to expanded services. As many as 24 more staff members will be required by the city police force to serve Westminster and expensive new communications equipment will be needed. Tests have shown that existing radio equipment will not reach to the southerly areas of the new city. The city will also be required to provide garbage collection and snowplowing to an extensive service area.

When added to the plans for the city to participate in the construction of a Lake Erie pipeline, the costs are very significant. Despite the directive from the province that this annexation be at little cost to the province, I have heard the mayor of London say that traditionally the province does provide financial assistance for annexations and I believe the province will indeed be facing significant costs.

The Middlesex county library system requires a \$100,000 adjustment to compensate for the loss of tax assessment and the Lambeth library, the Middlesex board of education will experience serious monetary shortfalls because of the loss of assessment, and the city may very well join in the lineup for provincial funds. In the next few years, perhaps as soon as 1994, I see a city of London less and less able to meet the expectations of the people of London, plagued by financial problems that will come of its obligations to compensation, hard services, soft services, collective agreements and new employees.

At that time, the city may well petition the province to return significant parcels of land to the county. Unfortunately, by that time county structures would have been so disrupted that they could never be revived. The damage will have been done. The real solution is a limited annexation with joint servicing, one very much like the 1988 London proposal.

It is for these reasons that I am voting against Bill 75 in its present form. It is essential that Bill 75 be amended to compel both the city of London and the county of Middlesex to develop official plans for their respective municipalities. This planning must involve the participation of the community and must embrace the economic, physical, en-

vironmental, heritage protection and social needs of London and Middlesex.

For London, the planning must ensure managed urban growth that maximizes land use, incorporates a transportation strategy that promotes public transit opportunities, implements the components of human needs like hospitals, child care, crisis centres, group homes, homes for the aged, social services, environmental protection, and protects the fragile natural areas and limited agricultural land that will be in the new city.

One primary concern with the London-Middlesex Act is in regard to protections that will allow farmers to continue to farm without fear of nuisance complaints stemming from the smells, noise and dust that are part of farm practice. The legislation must include the right to farm and the Agricultural Code of Practice. This will provide some safeguards for the working farms that will be removed from the protections of a rural municipality.

The county plan must follow similar guidelines, with the additional requirement that development be directed to existing villages and towns and be on urban services. The Sewell commission has in its draft reports provided some guidance. No doubt, once Sewell reports in the spring, there will be other recommendations that the county could adopt for planning. But as the September draft report of Sewell suggests, the county should be responsible for defining development boundaries and it should be responsible for water and sewer infrastructures. It must provide the strong leadership to manage change, maintain and enhance the environment, protect natural areas and resources and protect agricultural land, and it must provide a stable structure so its constituent townships and town and village municipalities can provide localized needs in a strong county.

This of course leads to the rather delicate question of county restructuring. For a number of years the county has been aware that it must restructure to successfully meet ever-increasing demands for services and the need for a more sophisticated style of government.

In fact, Mr Charles MacNaughton, who was the warden of Middlesex in 1940, divided Middlesex into five communities of interest. These form the basis of the current committee structure of Middlesex county. That was over 50 years ago, and since that time there have been numerous discussions about restructuring and the need for county-wide planning. There have been proposals that investigated the combining of London and West Nissouri township or the combining of part of Westminster and Delaware, part of Westminster and North Dorchester, and the suggestions of the Tatham report that smaller municipalities combine to form units of not less than 5,000.

Last January, the county of Middlesex struck a restructuring committee. It is essential that this committee move ahead with its work if Middlesex is to survive. It's time to set aside the differences that prevented the restructuring proposal of the past from succeeding. It can be done with sensitivity and in a way that protects the heritage of the past. New areas of jurisdiction could have combined names, as federal and provincial ridings do. Nothing important need be lost in this imperative renewal that would save Middlesex county.

1750

I would now also like to discuss the as-yet-unmentioned issue of the W12A landfill site owned by the city of London and located in the town of Westminster. Under the current arrangement between the city of London and the town of Westminster, this agreement terminates in 2006. The city is determined that a large enough area of land be annexed to bring the landfill completely under the control of the city of London.

While this is problematic, it is not impossible to resolve. The landfill is an important resource for the London and Middlesex area. All parties have agreed that the site should be available for the use of London and Middlesex residents. In order to ensure the availability and proper use of this resource, a new agreement between London and Westminster could be negotiated before new boundaries are finalized. The city could be sure that it would have access to W12A, and tipping fees could and should be increased to provide an incentive to waste reduction and to provide a capital fund for future waste management master planning. This is yet another component of the kind of mutually beneficial joint servicing that has already been addressed.

The situation that we face in London-Middlesex today is the result of a series of failures to come to terms with the need for good planning and effective governing structures. Bill 75 in its current form has not resolved the problems. It will only add to the list of failures. The legacy of the London-Middlesex Act in its current form will be a city bloated beyond its capacity to manage services, human and environmental needs. The legacy will be a dysfunctional county unable to be the strong, effective body we need it to be. We have an obligation to help provide the possibility of a better solution.

I would like to conclude with a request that this Legislature give careful consideration to the amendments and proposals that I have put forward, because there is so much at stake. Thousands of acres of farm land are at risk, and I must say that my preoccupation with the protection of farm land does not spring from an unnatural hatred of concrete or paving stones, but it does come from the very real fear that the food land that sustains us is rapidly disappearing.

A recent study from the University of Guelph warned that we may not have enough farm land to provide for our ever-increasing needs by the year 2000. That is a mere eight years away. It makes what we do here and now critical to our future. A society that cannot feed itself is vulnerable indeed.

The people of London, the people of Middlesex, are depending on good and right decisions from this Legislature. During the arbitration meetings and during the September London hearings, London and Middlesex residents came by the hundreds to plead for the right decision. They must be heard, for they have spoken of the need to safeguard the land, the communities and the way of life that has taken lifetimes to build.

Members of this House, we are obliged to hear, obliged to act and obliged to protect those communities that we in London and Middlesex cherish and that we wish to pre-

serve, because all of here, all of us in London and all of us in Middlesex know that they are irreplaceable.

The Acting Speaker: I wish to thank the honourable member for Middlesex for her participation. Questions and/or comments? The honourable member for Ottawa East.

Mr Grandmaitre: I am somewhat disappointed because I thought I was going to have half an hour, but I'm going to take the last two minutes on the clock to congratulate the member for Middlesex. I think she has shown a lot of courage today.

Mr James J. Bradley (St Catharines): She lost to Marion Boyd.

Mr Grandmaitre: Yes, she lost to Marion Boyd, but who hasn't lost on that side to Marion Boyd?

Having said this, I think the member has offered the minister an option and it was turned down by the minister because the minister was determined to put aside the Municipal Boundary Negotiations Act. "Put it aside, I'm the boss, I'm the dictator, and now you will do what I will tell you to do."

What this minister is doing today is the start of the destruction of our communities, of our municipalities in the province of Ontario. That's the kind of precedent that he's creating today. This is the government that says it will consult and build partnership. What this minister is doing today with Bill 75 is destroying partnership and he's putting aside municipalities in this province of Ontario.

When a minister has to write a letter of apology to 834 mayors in this province and say this is a unique annexation, this is not annexation; this is expropriation. This is what it is. It's expropriation.

It should not be repeated in this House: This minister is supposed to provide leadership to our 849 municipalities. He's destroying local autonomy, he's destroying local government. This is what this minister is doing and I'm ashamed to be his critic.

The Acting Speaker: Further questions and/or comments? The honourable member for Simcoe East.

Mr McLean: The member for Middlesex brought out some very good points in the remarks that she made. It's interesting to note—we've watched this in this Legislature on many different occasions—we have other members who have stood up and said to the government: "You're not doing it right. We want some different consultation process here." I commend the member for standing up and doing that.

She talked a lot about agricultural land, she talked about saving the agricultural land, but this government and this minister will not listen to that. This minister will not listen to the people in Tiny township who have a problem with the town of Midland with regard to the county restructuring taking place there. I spoke earlier on today; the minister talked to the Minister of Housing and didn't even lend an ear to what I had to say. I hope Mr Mills is listening as the parliamentary assistant to take in what we're saying here.

In the county of Simcoe restructuring they said the city of Barrie and the city of Orillia have enough land for 20

years. You bring in your bill and section 33 indicates that a week after this legislation is in place those two cities can proceed with any kind of restructuring they want to proceed with. Mr Minister, that is not right and that is not proper. If they have enough land for 20 years there should be a stipulation in that bill that protects those municipalities around those two cities so that they can carry on with their business.

Why the land grab? Why do people need so much land around the cities? You know something? The rural municipalities don't mind giving them land providing they're going to supply services, and if you can't service it from the city, then what's the point of it being in the city?

When you look at all the aspects of the restructuring that's taking place in this province, this minister is totally not listening to one iota of what people are telling him. It has been driven by the staff for the government to proceed, and the Tatham report was the start of it all.

The Acting Speaker: Further questions and/or comments?

Mr Randy R. Hope (Chatham-Kent): To the member for Middlesex, who made a very informative speech on what happened in the past to her area, what happened to her farm, I think one of the important values that she has expressed to us today and one of the values that we've seen is about the protection of agricultural land. As a member who represents the agricultural community also, I must commend the member for Middlesex. The presentation has been put forward and hopefully the minister will listen to some of the concerns, because I think she has very positive ideas and I think she meant it on the part of a sincerity of ways of resolving the long turmoil that has been there. I congratulate the member for an excellent presentation, it was very informative to me. Hopefully, if the other members would have listened, they would have understood what was going on.

1800

The Acting Speaker: We can accommodate one final participant. The honourable member for St Catharines.

Mr Bradley: We've seen an interesting display this afternoon, because we have a member who has clearly outlined the mistakes the government has made in this particular issue. We're having Middlesex county completely carved up, the member making the case before the Legislature, as she must to protect herself politically, and a minister who is not going to pay any attention to it.

It's very clear what has happened in this particular case. The member for London Centre and the member for London South, who obviously have much more power within the ranks of the New Democratic Party, have won in this particular case and have allowed Middlesex county to be carved up at a time when one would expect that wouldn't be the case. It clearly shows how out of touch this government is with the people in the rural parts of Ontario.

The urban people have won in this particular case. London has an appetite for more land. We know that the Minister of Agriculture and Food wants to save agricultural land. If there's one thing I would have thought the

New Democratic Party stood for—and I admired them in their past stances on this, particularly Stephen Lewis, when he used to talk about all the agricultural land that would be falling into urban use across Ontario; he used to say how many acres per hour. I admired Stephen Lewis. He was on the CBC every day: Radio Noon, Metro Morning—4 to 6, you name the program and Stephen Lewis was on it. He was on the front pages of the Globe and Mail and in the columns of the Globe and Mail, saving agricultural land.

What does this government do when it's in power? It doesn't save the agricultural land; it feeds the appetite of the city of London, represented very strongly in cabinet by the member for London Centre and the member for London South. The loser in this is Middlesex county and the member from Middlesex county, who I think has made an extremely compelling case, which unfortunately is a case which is not going to be accepted by the Minister of Municipal Affairs, who has the most power on this issue within this government. It's unfortunate for Middlesex county and unfortunate for its representative.

The Acting Speaker: This completes questions and/or comments. The honourable member for Middlesex has two minutes in response.

Mrs Mathysen: I appreciate this opportunity, but I would like to be very clear about a number of things that have been said opposite.

Firstly, the Minister of Municipal Affairs did accept a compromise I proposed last June. It was a compromise that was my second choice, and the county of Middlesex rejected that. So I don't think it's at all fair to paint him as the bad person in all this.

Secondly, my colleagues from London have shown determination, integrity and dedication to moving ahead a very important social agenda. My colleagues David Winger and Marion Boyd are members with whom I am proud to work.

Thirdly, as to a matter of courage, for me it's a matter of doing what is the right thing no matter what. My feeling is that political careers come and go, members come and go, but this must be the right solution. This must be a solution that will last for lifetimes and will benefit everyone. No matter which individual member is involved, it simply has to be the right and good and moral decision. That is what I'm asking for.

The Acting Speaker: Thank you. Is there likely to be further debate on Bill 75?

Mr Grandmaitre: As I pointed out previously, Mr Speaker, I was supposed to be given 30 minutes to speak on Bill 75, and I was given two minutes this afternoon.

The Acting Speaker: Is your intent then to participate in the debate?

Mr Grandmaitre: Absolutely.

The Acting Speaker: The honourable member for Sudbury East on a point of order.

Hon Shelley Martel (Minister of Northern Development and Mines): Mr Speaker, on a point of order: It was my understanding, as the acting House leader, that an

agreement had been reached among the three parties to conclude the debate today and defer a vote until tomorrow after question period. That's what I was given to understand as the agreement that had been reached.

The Acting Speaker: Well, that's a point of information. It's not a point of order.

The honourable member for Ottawa West on a—

Mr Robert Chiarelli (Ottawa West): Perhaps the House can give unanimous consent to at least 15 minutes for the member, who is a critic in this area.

The Acting Speaker: A point of order, the honourable member for Mississauga West.

Mr Mahoney: Mr Speaker, although the critic for our party is not being allowed the 30 minutes we all would have liked to hear him speak, there has been an agreement; the member from Sudbury has mentioned it. I would ask for unanimous consent that we concur with that.

The Acting Speaker: The member for Mississauga West is asking for unanimous consent. Do we have unanimous consent?

Interjections.

The Acting Speaker: My original question was, are there any other members wishing to participate in the debate?

Mr Ernie L. Eves (Parry Sound): On a point of order, Mr Speaker: Perhaps I can help clarify matters. There were two members who were yet to speak, one from the Liberal Party and one from our party. It's my understanding that a discussion has taken place this afternoon between the Liberal House leader and the government House leader, and that when this is referred to committee there will be an opportunity for both of those members to speak during that committee referral because they were not given an opportunity to speak during second reading debate. If that's the understanding, then I am quite comfortable with that.

The Acting Speaker: The honourable member for Parry Sound has provided some additional information.

I go back to my original question. The original question from yours truly was, are there any other members wishing to participate in this debate in this Legislature at this time? I heard no negative to my last question. If not, are we ready for the question?

Mr Cooke has moved second reading of Bill 75. Is it the pleasure of the House that the Mr Cooke's motion carry?

All those in favour of Mr Cooke's motion please say "aye."

All those opposed to Mr Cooke's motion please say "nay."

In my opinion, the nays have it.

"Pursuant to standing order 27(g), I request that the vote on the motion by the Honourable David Cooke for second reading of Bill 75, An Act respecting Annexations to the City of London and to certain municipalities in the County of Middlesex, be deferred until immediately following routine proceedings on Wednesday, October 21."

It is signed by the chief government whip, and so this will occur.

Pursuant to standing order 33, the question that this House do now adjourn is deemed to have been made.

CHEQUE CASHING BILL

The Acting Speaker (Mr Noble Villeneuve): The member for Carleton East has given notice of dissatisfaction with the answer to a question given by the Minister of Community and Social Services. The member for Carleton East has up to five minutes to debate the matter and the minister will have up to five minutes in reply.

Mr Gilles E. Morin (Carleton East): The Minister of Community and Social Services said yesterday that I seem to have no other topic on my mind than the cheque cashing issue. It's true. I have only one idea on my mind, and that is to serve the citizens of Ontario. That is what I was elected to do and I will continue to fight for a resolution to the cheque cashing problem because I believe it must end.

It seems that no arguments are good enough to convince the Minister of Community and Social Services that Bill 154 should be implemented. The Canadian Bankers Association has expressed its readiness to cooperate with the government and to negotiate an agreement that would facilitate cheque cashing for low-income Ontarians.

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Anti-poverty organizations have met many times with the Ministry of Community and Social Services. They know what they're talking about. They have cold, hard facts to support their views. Many members of this House have voiced strong concern over the cheque cashing issue, but this concern is brushed aside by a minister convinced that she knows best. Our views are apparently meaningless. After all, what do we know? We are just backbenchers. What does the approval of the House mean when one person, the minister, decides otherwise? The minister hears the facts but doesn't listen. She prefers to wait. The word "urgency" clearly has no meaning, since she is quite prepared to take her time.

I agree that great care must be taken to ensure the proper delivery of services to recipients of social assistance. I have never advocated that we rush any kind of policy initiative. However, in this particular case, time is quite literally of the essence. How much longer can this province and low-income Ontarians afford to wait? Procrastination will not resolve the issue. It is not an effective approach, and the problem will not simply disappear.

What I find really sad is that the minister is not listening to those who are hurting. Whatever happened to the promise of eradicating food banks? What about being responsive to the problems of low-income Ontarians? What must the poor do to be heard by the minister, when we elected members are unable to help?

The minister keeps invoking fears that this or that will happen if Bill 154 becomes law. Now she's saying that cheque cashing will go underground if the official charging of fees stops. There already exists underground cheque cashing. Who knows what kind of fees are being charged in these circumstances? But this, apparently, is of little concern to the minister. Protection of low-income consumers

is clearly not a priority for some members of this government. Bill 154 offers protection to low-income persons who are taken advantage of. If underground cheque cashing is of such concern to the minister, then why does she not act now, as quickly as possible, to deal with this problem?

The minister keeps acting as though the situation was out of her control, yet she has the mandate, the staff, the legislative prerogative to deal with the issue, to circumvent to the best of her abilities any difficulties that could arise. The minister has every tool at her disposal and yet she does not have the will to use them. Instead, she repeats what I have said all along. I have said that we must set up a responsive system of social assistance and that this system must be in place before Bill 154 is implemented so that no one is left out in the cold.

I don't expect this issue to be resolved overnight. What has power done to you, Minister? Why this sudden change in behaviour? Your party has supported all along the ideas that I brought forward. Are you rejecting Bill 154 because it comes from a backbencher who happens to be on this side of the House? If this is the case, I say to you, "Don't play politics with the needy."

The Acting Speaker: The Minister of Community and Social Services has five minutes in response.

Hon Marion Boyd (Minister of Community and Social Services): As I have said time and time again in answer to the member, the members on this side of the House supported him in his bill. We agree with the principle of what he is trying to accomplish with the bill and we have made that very clear. We also do not believe that private businesses should be able to charge for the cashing of government cheques.

What we don't agree with is that the member's solution to this problem is too simplistic to cover the whole problem. If we look at the situation he has talked about—his bill remains on the order paper; we have supported it. What we are saying is that there are a number of things we want to have in place so that we do not throw social assistance recipients in the province of Ontario into the same position they were in when the bill came into effect in January of this year, although it was a 1980 bill. It was challenged through the courts for over 10 years in Quebec.

What it did was that it came into effect, the cheque-cashing institutions immediately stopped cashing all government cheques, and there were no alternatives in place for people who needed to cash those cheques. What happened as a result, social agencies have documented very well. People had a piece of paper. They were eligible for benefits. They had no way of cashing those cheques.

What we are saying is that before we completely wipe out this kind of process which does offer an alternative, we need to, first of all, be looking at the direct-deposit option. We now have about 35% of our FBA clients on that. We

put out another flyer in the August cheques, which is getting a good response. We have four projects currently in place with GWA with municipalities and are getting a very good response to that. Direct deposit means that clients have the cheques deposited automatically to their accounts, and there is no problem about cashing them. It also helps with some money management, and that has been a very good fallout in terms of our interaction.

Cheque dating is another problem. The member is quite right that the pre-postdating of cheques has encouraged people to go to these outfits to cash their cheques early, because there's a fee that they can pay in order to get their cheques cashed early. What we are doing is working with the municipalities and ourselves to ensure that a specific postal walk and dating of those cheques coincide, so that people receive their cheque on the date that it's due and that temptation is not there.

We are working with the Canadian Bankers Association on what is appropriate, non-stigmatizing identification, so that social assistance recipients have identification that is going to be acceptable to banks and yet are not being identified, as we are not allowed to do under the Freedom of Information and Protection of Privacy Act, that they are necessarily recipients.

We are working with the Canadian Bankers Association around their request for indemnification if they cash cheques for people who do not have accounts. We are looking at the possibility of withdrawal cards, and that is a very important aspect of the kinds of work that we're doing. We are making the changes. They are happening very, very quickly, some put into effect over the summer, some this very month.

As soon as we have an assurance that we will not simply throw our recipients into the same kind of situation they were put in in Quebec, then the possibility of legislating an end to fees altogether is much more there. But if we do it before we have these things in place, we will in fact disadvantage people who are the most disadvantaged in our society, as the member pointed out.

I ask the member, please, to stop pressing on this. I have answered and answered that this is the route we're going. We do not need to pass a bill at this particular time until we are sure that we have these things in place. I have assured the member that this is our concern, our only concern, in not moving forward with the bill at this point in time. It is absolutely unfair of him to characterize anything else in my responses to him, because I have said this to him privately and publicly on a number of occasions.

The Acting Speaker: There being no further business to debate, the original motion to adjourn is deemed to be carried. This House therefore stands adjourned until Wednesday, October 21, at 1:30 pm.

The House adjourned at 1818.

**LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor/Lieutenant-gouverneur: Lt Col The Hon/L'hon Henry N. R. Jackman CM, KStJ, BA, LLB, LLD

Speaker/Président: Hon/L'hon David Warner

Clerk/Greffier: Claude L. DesRosiers

Clerk Assistant and Clerk of Committees/Greffier adjoint et Greffier des comités: Smirle Forsyth

Clerk Assistant and Clerk of Journals/Greffier adjoint et Greffier des journaux: Alex D. McFedries

Sergeant at Arms/Sergent d'armes: Thomas Stelling

Constituency	Name of member	Party	Other responsibilities
Algoma	Wildman, Hon/L'hon Bud	ND	Minister of Natural Resources, minister responsible for native affairs/ministre des Richesses naturelles, ministre délégué aux Affaires autochtones
Algoma-Manitoulin	Brown, Michael A.	L	Chair, standing committee on general government/ Président du Comité permanent des affaires gouvernementales
Beaches-Woodbine	Lankin, Hon/L'hon Frances	ND	Minister of Health, minister responsible for the substance abuse strategy/ministre de la Santé, ministre responsable de la Stratégie de prévention de la toxicomanie
Brampton North/-Nord	McClelland, Carman	L	Vice-Chair, standing committee on general government/ Vice-Président du Comité permanent des affaires gouvernementales
Brampton South/-Sud	Callahan, Robert V.	L	
Brant-Haldimand	Eddy, Ron	L	
Brantford	Ward, Brad	ND	parliamentary assistant to Minister of Industry, Trade and Technology/adjoint parlementaire du ministre de l'Industrie, du Commerce et de la Technologie
Bruce	Elston, Murray J.	L	opposition House leader/ chef parlementaire de l'opposition
Burlington South/-Sud	Jackson, Cameron	PC	Chair, standing committee on estimates/ Président du Comité permanent des budgets des dépenses
Cambridge	Farnan, Mike	ND	Vice-Chair, standing committee on the Legislative Assembly/ Vice-Président du Comité permanent de l'Assemblée législative
Carleton	Sterling, Norman W.	PC	
Carleton East/-Est	Morin, Gilles E.	L	Deputy Speaker and Chair of the Committee of the Whole House/ Vice-Président et Président du Comité plénier de l'Assemblée législative
Chatham-Kent	Hope, Randy R.	ND	parliamentary assistant to Minister of Community and Social Services/adjoint parlementaire du ministre des Services sociaux et communautaires
Cochrane North/-Nord	Wood, Len	ND	parliamentary assistant to Minister of Natural Resources/ adjoint parlementaire du ministre des Richesses naturelles
Cochrane South/-Sud	Bisson, Gilles	ND	parliamentary assistant to Minister of Northern Development and Mines, parliamentary assistant to minister responsible for francophone affairs/adjoint parlementaire de la ministre du Développement du Nord et des Mines, adjoint parlementaire du ministre délégué aux Affaires francophones
Cornwall	Cleary, John C.	L	
Don Mills	Ward, Margery	ND	parliamentary assistant to Minister of Government Services/ adjointe parlementaire du ministre des Services gouvernementaux
Dovercourt	Silipo, Hon/L'hon Tony	ND	Minister of Education/ministre de l'Éducation
Downsview	Perruzza, Anthony	ND	parliamentary assistant to minister responsible for the greater Toronto area/adjoint parlementaire de la ministre responsable du Bureau de la région du grand Toronto
Dufferin-Peel	Tilson, David	PC	
Durham Centre/-Centre	White, Drummond	ND	Chair, standing committee on regulations and private bills/ Président du Comité permanent des règlements et des projets de loi privés
Durham East/-Est	Mills, Gord	ND	parliamentary assistant to Minister of Municipal Affairs/ adjoint parlementaire du ministre des Affaires municipales
Durham West/-Ouest	Wiseman, Jim	ND	parliamentary assistant to Minister of Revenue/ adjoint parlementaire de la ministre du Revenu
Durham-York	O'Connor, Lawrence	ND	parliamentary assistant to minister responsible for the substance abuse strategy/adjoint parlementaire de la ministre responsable de la Stratégie de prévention de la toxicomanie
Eglinton	Poole, Dianne	L	
Elgin	North, Hon/L'hon Peter	ND	Minister of Tourism and Recreation/ ministre du Tourisme et des Loisirs
Essex-Kent	Hayes, Pat	ND	parliamentary assistant to Minister of Agriculture and Food/ adjoint parlementaire du ministre de l'Agriculture et de l'Alimentation
Essex South/-Sud	Mancini, Remo	L	Chair, standing committee on public accounts/ Président du Comité permanent des comptes publics

Constituency	Name of member	Party	Other responsibilities
Etobicoke-Lakeshore	Grier, Hon/L'hon Ruth A.	ND	Minister of the Environment, minister responsible for the greater Toronto area/ministre de l'Environnement, ministre responsable du Bureau de la région du grand Toronto
Etobicoke-Humber	Henderson, D. James	L	
Etobicoke-Rexdale	Phillip, Hon/L'hon Ed	ND	Minister of Industry, Trade and Technology/ ministre de l'Industrie, du Commerce et de la Technologie
Etobicoke West/-Ouest	Stockwell, Chris	PC	
Fort William	McLeod, Lyn	L	Leader of the Opposition/chef de l'opposition
Fort York	Marchese, Rosario	ND	parliamentary assistant to the Premier, parliamentary assistant to Minister of Intergovernmental Affairs/adjoint parlementaire du premier ministre, adjoint parlementaire du ministre des Affaires intergouvernementales
Frontenac-Addington	Wilson, Hon/L'hon Fred	ND	Minister of Government Services/ ministre des Services gouvernementaux
Grey	Murdoch, Bill	PC	
Guelph	Fletcher, Derek	ND	parliamentary assistant to Minister of Consumer and Commercial Relations/adjoint parlementaire de la ministre de la Consommation et du Commerce
Halton Centre/-Centre	Sullivan, Barbara	L	
Halton North/-Nord	Duignan, Noel	ND	Chair, standing committee on the Legislative Assembly/ Président du Comité permanent de l'Assemblée législative
Hamilton Centre/-Centre	Christopherson, Hon/L'hon David	ND	Minister of Correctional Services/ministre des Services correctionnels
Hamilton East/-Est	Mackenzie, Hon/L'hon Bob	ND	Minister of Labour/ministre du Travail
Hamilton Mountain	Charlton, Hon/L'hon Brian	ND	Minister of Financial Institutions, Minister of Energy/ ministre des Institutions financières, ministre de l'Énergie
Hamilton West/-Ouest	Allen, Hon/L'hon Richard	ND	Minister of Colleges and Universities, Minister of Skills Development/ministre des Collèges et Universités, ministre de la Formation professionnelle
Hastings-Peterborough	Buchanan, Hon/L'hon Elmer	ND	Minister of Agriculture and Food/ ministre de l'Agriculture et de l'Alimentation
High Park-Swansea	Ziemba, Hon/L'hon Elaine	ND	Minister of Citizenship, minister responsible for human rights, disability issues, seniors' issues and race relations/ministre des Affaires civiques, ministre déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales
Huron	Klopp, Paul	ND	parliamentary assistant to Minister of Agriculture and Food/ adjoint parlementaire du ministre de l'Agriculture et de l'Alimentation
Kenora	Miclash, Frank	L	opposition deputy whip/whip adjoint de l'opposition
Kingston and The Islands/ Kingston et Les Îles	Wilson, Gary	ND	parliamentary assistant to Minister for Skills Development/ adjoint parlementaire du ministre de la Formation professionnelle
Kitchener	Ferguson, Will	ND	parliamentary assistant to Minister of Transportation/ adjoint parlementaire du ministre des Transports
Kitchener-Wilmot	Cooper, Mike	ND	parliamentary assistant to the Solicitor General; deputy government whip; Chair, standing committee on administration of justice/ adjoint parlementaire du Solliciteur général, whip adjoint du gouvernement, Président du Comité permanent de l'administration de la justice
Lake Nipigon/Lac-Nipigon	Pouliot, Hon/L'hon Gilles	ND	Minister of Transportation, minister responsible for francophone affairs/ministre des Transports, ministre délégué aux Affaires francophones
Lambton	MacKinnon, Ellen	ND	Vice-Chair, standing committee on regulations and private bills/ Vice-Présidente du Comité permanent des règlements et des projets de loi privés
Lanark-Renfrew	Jordan, W. Leo	PC	
Lawrence	Cordiano, Joseph	L	Vice-Chair, standing committee on public accounts/ Vice-Président du Comité permanent des comptes publics
Leeds-Grenville	Runciman, Robert W.	PC	Chair, standing committee on government agencies/ Président du Comité permanent des organismes gouvernementaux
Lincoln	Hansen, Ron	ND	Chair, standing committee on finance and economic affairs/ Président du Comité permanent des finances et des affaires économiques
London Centre/-Centre	Boyd, Hon/L'hon Marion	ND	Minister of Community and Social Services, minister responsible for women's issues/ministre des Services sociaux et communautaires, ministre déléguée à la Condition féminine
London North/-Nord	Cunningham, Dianne	PC	Progressive Conservative chief whip/ whip en chef du Parti progressiste-conservateur
London South/-Sud	Winninger, David	ND	parliamentary assistant to the Attorney General, parliamentary assistant to minister responsible for native affairs/ adjoint parlementaire du Procureur général, adjoint parlementaire du ministre délégué aux Affaires autochtones

Constituency	Name of member	Party	Other responsibilities
Markham	Cousens, W. Donald	PC	Progressive Conservative deputy House leader/ chef parlementaire adjoint du Parti progressiste-conservateur
Middlesex	Mathysen, Irene	ND	parliamentary assistant to Minister of the Environment/ adjointe parlementaire de la ministre de l'Environnement
Mississauga East/-Est	Sola, John	L	
Mississauga North/-Nord	Offer, Steven	L	
Mississauga South/-Sud	Marland, Margaret	PC	Vice-Chair, standing committee on estimates/ Vice-Présidente du Comité permanent des budgets des dépenses
Mississauga West/-Ouest	Mahoney, Steven W.	L	opposition chief whip/whip en chef de l'opposition
Muskoka-Georgian Bay	Waters, Daniel	ND	parliamentary assistant to Minister of Tourism and Recreation/ adjoint parlementaire du ministre du Tourisme et des Loisirs
Nepean	Daigeler, Hans	L	Vice-Chair, standing committee on social development/ Vice-Président du Comité permanent des affaires sociales
Niagara Falls	Harrington, Margaret H.	ND	parliamentary assistant to Minister of Housing/ adjointe parlementaire de la ministre du Logement
Niagara South/-Sud	Coppen, Hon/L'hon Shirley	ND	Minister without Portfolio, chief government whip/ ministre sans portefeuille, whip en chef du gouvernement
Nickel Belt	Laughren, Hon/L'hon Floyd	ND	Deputy Premier, Treasurer of Ontario and Minister of Economics/ vice-premier ministre, Trésorier de l'Ontario et ministre de l'Économie
Nipissing	Harris, Michael	PC	leader of the Progressive Conservative Party/ chef du Parti progressiste-conservateur
Norfolk	Jamison, Norm	ND	parliamentary assistant to Minister of Industry, Trade and Technology/du ministre de l'Industrie, du Commerce et de la Technologie
Northumberland	Fawcett, Joan M.	L	
Oakville South/-Sud	Carr, Gary	PC	
Oakwood	Rizzo, Tony	ND	
Oriole	Caplan, Elinor	L	
Oshawa	Pilkey, Hon/L'hon Allan	ND	Solicitor General/Solliciteur général
Ottawa Centre/-Centre	Gigantes, Hon/L'hon Evelyn	ND	Minister of Housing/ministre du Logement
Ottawa East/-Est	Grandmaitre, Bernard C.	L	
Ottawa-Rideau	O'Neill, Yvonne	L	
Ottawa South/-Sud	McGuinty, Dalton J.P.	L	
Ottawa West/-Ouest	Chiarelli, Robert	L	
Oxford	Sutherland, Kimble	ND	parliamentary assistant to Minister of Colleges and Universities; Vice-Chair, standing committee on finance and economic affairs/ Vice-Président du Comité permanent des finances et des affaires économiques, adjoint parlementaire du ministre des Collèges et Universités
Parkdale	Ruprecht, Tony	L	
Parry Sound	Eves, Ernie	PC	Progressive Conservative House leader/ chef parlementaire du Parti progressiste-conservateur
Perth	Haslam, Hon/L'hon Karen	ND	Minister of Culture and Communications/ ministre de la Culture et des Communications
Peterborough	Carter, Jenny	ND	parliamentary assistant to Minister of Citizenship/ adjointe parlementaire de la ministre des Affaires civiles
Port Arthur	Wark-Martyn, Hon/L'hon Shelley	ND	Minister of Revenue/ministre du Revenu
Prescott and Russell/ Prescott et Russell	Poirier, Jean	L	
Prince Edward-Lennox-South Hastings/ Prince-Edward- Lennox-Hastings-Sud	Johnson, Paul R.	ND	parliamentary assistant to the Treasurer of Ontario and Minister of Economics/adjoint parlementaire du Trésorier de l'Ontario et du ministre de l'Économie
Quinte	O'Neil, Hugh P.	L	
Rainy River	Hampton, Hon/L'hon Howard	ND	Attorney General/Procureur général
Renfrew North/-Nord	Conway, Sean G.	L	Deputy Leader of the Opposition/chef adjoint de l'opposition
Riverdale	Churley, Hon/L'hon Marilyn	ND	Minister of Consumer and Commercial Relations/ ministre de la Consommation et du Commerce
S-D-G & East Grenville/ S.-D.-G. & Grenville-Est	Villeneuve, Noble	PC	Second Deputy Chair of the Committee of the Whole House/ Deuxième Vice-Président du Comité plénier de l'Assemblée législative
St Andrew-St Patrick	Akande, Zanana	ND	parliamentary assistant to the Premier/adjoint parlementaire du premier ministre
St Catharines	Bradley, James J.	L	opposition deputy House leader/chef parlementaire de l'opposition
St. Catharines-Brock	Haeck, Christel	ND	government whip; Vice-Chair, standing committee on the Ombudsman/ whip du gouvernement, Vice-Présidente du Comité permanent de l'ombudsman
St. George-St. David	Vacant		

Constituency	Name of member	Party	Other responsibilities
Sarnia	Huget, Bob	ND	parliamentary assistant to Minister of Energy; Vice-Chair, standing committee on resources development/ adjoint parlementaire du ministre de l'Énergie, Vice-Président du Comité permanent du développement des ressources
Sault Ste Marie/ Sault-Sainte-Marie	Martin, Tony	ND	parliamentary assistant to Minister of Education/ adjoint parlementaire du ministre de l'Éducation
Scarborough-Agincourt	Phillips, Gerry	L	
Scarborough Centre/-Centre	Owens, Stephen	ND	parliamentary assistant to Minister of Financial Institutions/ adjoint parlementaire du ministre des Institutions financières
Scarborough East/-Est	Frankford, Robert	ND	
Scarborough-Ellesmere	Warner, Hon/L'hon David	ND	Speaker/Président
Scarborough North/-Nord	Curling, Alvin	L	opposition deputy whip/whip adjoint de l'opposition
Scarborough West/-Ouest	Swarbrick, Anne	ND	
Simcoe Centre/-Centre	Wessinger, Paul	ND	parliamentary assistant to Minister of Health/ adjoint parlementaire de la ministre de la Santé
Simcoe East/-Est	McLean, Allan K.	PC	Vice-Chair, standing committee on government agencies/ Vice-Président du Comité permanent des organismes gouvernementaux
Simcoe West/-Ouest	Wilson, Jim	PC	
Sudbury	Murdock, Sharon	ND	parliamentary assistant to Minister of Labour/ adjointe parlementaire du ministre du Travail
Sudbury East/-Est	Martel, Hon/L'hon Shelley	ND	Minister of Northern Development and Mines/ ministre du Développement du Nord et des Mines
Timiskaming	Ramsay, David	L	
Victoria-Haliburton	Drainville, Dennis	ND	First Deputy Chair of the Committee of the Whole House/ Premier Vice-Président du Comité plénier de l'Assemblée législative
Waterloo North/-Nord	Witmer, Elizabeth	PC	
Welland-Thorold	Kormos, Peter	ND	Chair, standing committee on resources development/ Président du Comité permanent du développement des ressources
Wellington	Arnott, Ted	PC	
Wentworth East/-Est	Morrow, Mark	ND	Chair, standing committee on the Ombudsman; Vice-Chair, standing committee on administration of justice/ Président du Comité permanent de l'ombudsman, Vice-Président du Comité permanent de l'administration de la justice
Wentworth North/-Nord	Abel, Donald	ND	government whip/whip du gouvernement
Willowdale	Harnick, Charles	PC	
Wilson Heights	Kwinter, Monte	L	
Windsor-Riverside	Cooke, Hon/L'hon David	ND	Minister of Municipal Affairs, Chair of the Management Board of Cabinet and government House leader/ministre des Affaires municipales, président du Conseil de gestion du gouvernement, et chef parlementaire du gouvernement
Windsor-Sandwich	Dadamo, George	ND	parliamentary assistant to Minister of Culture and Communications/ adjoint parlementaire de la ministre de la Culture et des Communications
Windsor-Walkerville	Lessard, Wayne	ND	parliamentary assistant to Chair of the Management Board of Cabinet/adjoint parlementaire du président du Conseil de gestion du gouvernement
York Centre/-Centre	Sorbara, Gregory S.	L	
York East/-Est	Malkowski, Gary	ND	parliamentary assistant to Minister of Citizenship/ adjoint parlementaire de la ministre des Affaires civiques
York Mills	Turnbull, David	PC	Progressive Conservative whip/whip du Parti progressiste- conservateur
York North/-Nord	Beer, Charles	L	Chair, standing committee on social development/ Président du Comité permanent des affaires sociales
York South/-Sud	Rae, Hon/L'hon Bob	ND	Premier, President of the Executive Council, Minister of Intergovernmental Affairs/premier ministre, président du Conseil des ministres, ministre des Affaires gouvernementales
Yorkview	Mammoliti, George	ND	parliamentary assistant to Minister of Correctional Services/ adjoint parlementaire du ministre des Services correctionnels

**COMMITTEES OF THE LEGISLATIVE ASSEMBLY
COMITÉS DE L'ASSEMBLÉE LÉGISLATIVE**

STANDING COMMITTEES/COMITÉS PERMANENTS

Administration of justice/Administration de la justice

Chair/Président: Mike Cooper
Vice-Chair/Vice-Président: Mark Morrow
Members/Membres: Zanana Akande, Jenny Carter, Robert Chiarelli, Mike Cooper, Alvin Curling, Charles Harnick, Steven W. Mahoney, Gary Malkowski, Mark Morrow, Robert W. Runciman, Paul Wessinger, David Winninger
Clerk/Greffière: Lisa Freedman

Estimates/Budgets des dépenses

Chair/Président: Cameron Jackson
Vice-Chair/Vice-Présidente: Margaret Marland
Members/Membres: Gilles Bisson, Gary Carr, Ron Eddy, Will Ferguson, Robert Frankford, Wayne Lessard, Lawrence O'Connor, Anthony Perruzza, David Ramsay
Clerk/Greffier: Franco Carrozza

**Finance and economic affairs/
Finances et affaires économiques**

Chair/Président: Ron Hansen
Vice-Chair/Vice-Président: Kimble Sutherland
Members/Membres: Elinor Caplan, Gary Carr, Norm Jamison, Monte Kwinter, Gerry Phillips, Norman W. Sterling, Brad Ward, Margery Ward, Jim Wiseman
Clerk/Greffier: Todd Decker

General government/Affaires gouvernementales

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Second Session, 35th Parliament

Official Report of Debates (Hansard)

Wednesday 21 October 1992

Assemblée législative de l'Ontario

Deuxième session, 35^e législature

Journal des débats (Hansard)

Mercredi 21 octobre 1992



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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Renseignements sur l'Index

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 21 October 1992

The House met at 1331.

Prayers.

MEMBERS' STATEMENTS

NORTHERN POLICE SERVICES

Mr Frank Miclash (Kenora): I wish to bring the attention of the House to a very serious problem in a small town in my riding, Sioux Lookout. I must say that this deserves the immediate attention of this government, especially the Solicitor General and the Attorney General.

The Solicitor General will recall my statement of June 8 when I pointed out the need for additional OPP services in the community of Sioux Lookout. As well, various ministers have received correspondence from myself on behalf of the Sioux Lookout Street Patrol.

Today a crisis exists in Sioux Lookout and I appeal to the present NDP government for help. If we take a look at some statistics, between January 1, 1992, and September 30, 1992, there were 271 assaults reported to the Sioux Lookout detachment of the OPP in this small community.

Not only are the citizens of Sioux Lookout upset, but let me quote to you the judge's response to this situation:

"Speaking from the bench last Tuesday in Sioux Lookout, provincial court Justice Roderick Flaherty denounced the rise in assault charges stemming from the violence on Sioux Lookout's streets.

"Calling the situation 'intolerable' and 'overwhelming,' Justice Flaherty had harsh words for the people appearing before him on assault charges."

He goes on to say, "The predominance of violence in this community is overwhelming."

Again, I must repeat my appeal to this government, especially to the Solicitor General and the Attorney General, for immediate action to take care of this situation existing in the town of Sioux Lookout.

POLICE USE OF FIREARMS

Mr Allan K. McLean (Simcoe East): My statement is for the Solicitor General. It concerns this government's introduction of restrictions on police firearm use.

Police forces in Simcoe county, like those throughout the rest of Ontario, will be confronted with these new restrictions effective January 1, 1993. Our police officers are worried about being killed if they are hesitant about using their weapons in dangerous situations.

The new restrictions are obviously the NDP government's knee-jerk response to groups that have been calling for more controls on police gun use. This government has accused some police forces of being trigger-happy in their dealings with some minority groups. If the NDP government seriously believes that racism is the problem, imposing firearm restrictions on our police officers is not the way to deal with it.

The NDP government has chosen to respond to the desires of specific interest groups and failed to meet the

primary concern of the majority of the public, which is to ensure the protection of law-abiding citizens and the officers themselves.

As the crime rate soars in Ontario, the people of Simcoe county find the NDP government focusing its attention on questioning the integrity of police officers, cutting back on police force budgets and imposing firearm restrictions on our men and women in blue.

The NDP government's priorities are clearly misguided and misplaced. Don't you think you should be doing something positive to help our police officers fight crime and protect the law-abiding citizens in the province of Ontario?

STUDENT FORUM

Mr Derek Fletcher (Guelph): Yesterday, Premier Bob Rae, the Prime Minister of Canada and first nations Chief Ovide Mercredi were in Guelph to open the unity forum at Our Lady of Lourdes high school in Guelph. The title of the forum is Forum '92, Unity in Diversity: The Charlottetown Accord. This forum brings together student delegations from every province, the Northwest Territories and first nations. They will discuss the new constitutional package and challenges facing Canada. Their aim is to formulate resolutions to renew and reconstruct the federation.

This is the fourth unity forum organized by history teacher Joe Tersigni, and it has promoted dialogue and understanding among young Canadians about Canada's future. Last year, after three days of sometimes heated debate, the students passed three resolutions: firstly, that Quebec be granted "distinct society" status; secondly, that we recognize the aboriginal right to self-government, and thirdly, that the Prime Minister call an immediate first ministers' conference, which includes aboriginal delegates, to solve our constitutional crisis. These came to pass.

This program, Our Future Together, spells out many key objectives of the forum. Let me quote what one of those objectives is: "to appreciate the value of our differences and to recognize the existence of a diversity of opinion."

These young students are showing the way to the rest of Canadians by finding out exactly what is in the Charlottetown accord.

HOSPITAL FINANCING

Mrs Barbara Sullivan (Halton Centre): I'm rising on a matter of urgent public concern. Joseph Brant Memorial Hospital in Burlington has just been told that the Ministry of Health will provide about 10% of the equity funding that it needs to operate. As a result, it can no longer provide the services necessary to operate as a community hospital.

Other hospitals in Ontario are moving to the ministry target of 850 patient-days per 1,000. Joseph Brant hospital is now operating at 300 patient-days per 1,000 below the ministry target.

There's no room for the hospital to move. It can't close any more beds. It can't decrease staff any more than it

already has. Given its facilities, it can't increase day surgery or ambulatory care any further. It can't move patients out of the hospital setting any earlier than it is now doing. It cannot move patients into community-based facilities because there are none. It cannot put off the refurbishing or replacement of medical equipment any more than it already has.

The Minister of Health has said that it also can't operate with a deficit. The Minister of Health had better find some more money for Joseph Brant hospital, because it can no longer operate as a community hospital. It can no longer place patients who require urgent admission and can no longer provide the services needed, at an acceptable level of quality, in the hospital's catchment area.

People in my community are at risk. I'm demanding an immediate review of this situation and the appropriate amount of Ministry of Health funding so that Joseph Brant hospital can provide the services that are urgently needed in my community.

1340

LANDFILL

Mr W. Donald Cousens (Markham): Today, I would like to report to the Legislature, to the people of Ontario and especially to the people of York, Durham, Peel and Metropolitan Toronto that the first ever dump summit was held this week at Canada's largest landfill site, the Keele Valley landfill site in the city of Vaughan in York region.

The dump summit was attended by representatives from the 12 different groups working hard to protect communities from this government's action. Each of the dumps was represented at this meeting, and we had an opportunity to learn what each of the groups is doing with regard to this major battle that's under way. It's been under way for almost a year right now, since Minister Grier brought in Bill 143, which mandates three large megadumps in York, Durham and Peel.

The people of these areas are representing themselves and coming forward to the people of Ontario to make sure that this province and this government understand that the people are angry and frustrated at the way this government is going to force large megadumps in the urban shadow of Metropolitan Toronto.

The battle plans are under way. If this government thinks it's going to railroad these dumps right into our communities, it's wrong. These communities are ready for battle. This government will not get away with it. The public is going to rally around the cause and make sure that these landfill sites are not brought into these communities, and destroy our land values and fail to understand the significant consequences of these sites.

ST CLAIR COLLEGE

Mr George Dadamo (Windsor-Sandwich): I'm pleased to inform the members of this Legislature that Windsor has been and continues to celebrate its 100th birthday. Another celebration is coming up and this time St Clair College is the host and sponsor of the Silver Gala Dinner and Dance. This Friday, October 23, the Silver Gala dinner will be hosted at St Clair College in Windsor.

The guests will enjoy a seven-course meal and dance to a 20-piece concert band. As well, the Windsor Community Concert Band will entertain during the dinner.

At the same event, we will honour all the dedication and hard work that the college has done for the city of Windsor in the past 25 years.

I'd like to invite Windsorites, both past and present, to attend the gala and help make a significant contribution to the future success of the city of Windsor, the province of Ontario, and of course Canada. Say yes to Canada and yes to the Silver Gala celebrations.

Windsor's 1992 centennial committee means dedication and it should be congratulated, along with the hardworking city of Windsor team. The all-star team spent this year putting together a memorable party for the citizens of Windsor. They have offered memories which will linger for many years to come.

I offer personal accolades to the mayor's office, the centennial committee, St Clair College and all those who have worked endlessly throughout the year to give Windsor a feeling we will for ever cherish.

On behalf of my Windsor colleagues, we wish Windsor a very heartfelt happy birthday.

BOB McCANN

Mr James J. Bradley (St Catharines): In all of our communities across the province of Ontario, there are individuals who make a significant contribution to the welfare and to the lifestyle of the community in which they reside. One such person is Bob McCann who is the president of St Catharines General Hospital. Mr McCann has been the president for the past decade and he informed the board of governors in September of this year that he would be retiring in March.

Mr McCann has been at the General for more than three decades and he's bringing his career to an end in part because he has seen two major dreams realized, dreams that were important to patients throughout the Niagara Peninsula and specifically in St Catharines; that is, the go-ahead for a huge hospital expansion and emergency redevelopment. They have an emergency department at St Catharines which has been chronically undersized and not adequate. Mr McCann has fought for the transformation of that over the years. It is coming to fruition.

The second is a brand-new Moore-McSloy chronic care wing. Mr McCann was impressed negatively by the appalling conditions that existed in that particular wing and fought very hard with all of us who are in public office and certainly with the Ministry of Health to ensure that was changed.

Because of the contribution made by Mr McCann to St Catharines General Hospital, it serves our community far better than it could have without his assistance.

LABOUR LEGISLATION

Mr David Tilson (Dufferin-Peel): I'd like to bring to the attention of this House my concerns with Bill 40 and how this NDP government is ramming it through both the Legislature and committee.

The changes to the rules of debate that this government chose to bring forward after introducing Bill 40 has limited my abilities as a member of this Legislature. I have not been given the opportunity to debate this bill in the House because of the new time allocations and the limiting of debate.

The public has also been left out of much of the discussion, with over 1,000 people being turned away from being involved at the public hearings.

Both myself and the NDP of Dufferin-Peel are also being shortchanged because of your "trust me" attitude. I have been asked by the local NDP riding association of Dufferin-Peel to be involved in a debate of Bill 40 next Thursday with Leo Gerard, Ontario director of the United Steelworkers of America and vice-president of the Canadian Labour Congress.

You have not only limited my ability as an opposition member but also the people of Dufferin-Peel and Ontario to educate and inform themselves on this bill. You may have introduced these rule changes to cut the opposition's voice, but in fact at the same time you have limited the public's voice as well. Bill 40 will probably be law by next Thursday when I debate Bill 40 with Mr Gerard. You are not giving your own people an opportunity to find out about this legislation in a non-partisan, public discussion that would educate the people of Dufferin-Peel about the repercussions of this legislation.

It is no wonder that the Canadian Manufacturers' Association has introduced a computer program that will evaluate bills and legislation that governments are bringing forward.

CONSTITUTIONAL ACCORD

Mr Dennis Drainville (Victoria-Haliburton): It's a great pleasure for me to rise in the House today and to give public thanks to a number of groups in the riding of Victoria-Haliburton that have been kind enough to allow for forums to be established where the issue of the referendum could be discussed. In particular, I'd like to thank the Lindsay Collegiate and Vocational Institute. I'd like to thank also Sir Sandford Fleming college. I'd like to thank the county council of Haliburton county, and also the Citizens' Open Circle from Fenelon Falls. In all these cases they have provided forums where people have been able to come and hear about the various elements of the Charlottetown accord.

There's no question that there has been a great deal of controversy about the accord, and there's no question that there's been a great deal of debate. It has been my honour and my privilege to have the opportunity of standing on the Yes side and indicating the reasons to people in my riding and beyond my riding why I support the Charlottetown accord and believe that it is the direction that we need to move in as citizens of Canada and Ontario.

In particular, I want to say about this accord and this time that we've had to discuss it that if Canadians indeed have a vision of the future and if they dream about their country and the direction that they want to go in, then they need to take this time to hear this debate, get involved in this debate, learn about the accord, and hopefully on October 26 give a Yes vote for Canada.

VISITORS

The Speaker (Hon David Warner): I would invite all members to welcome to our gallery this afternoon a very special guest from Finland, the deputy speaker, Mrs Olander, who is joined by her husband, Mr Olander. Ms Shalden is coordinating this very special visit. Welcome to our gallery.

Mr Murray J. Elston (Bruce): And in the members' gallery, the member for Welland-Thorold.

The Speaker: He may be joining us later.

ORAL QUESTIONS

WORKPLACE HEALTH AND SAFETY AGENCY

Mrs Lyn McLeod (Leader of the Opposition): My question is for the Minister of Labour.

Minister, today at least five members of the Workplace Health and Safety Agency are announcing their resignations from the board because of interference from your government. Our information is that an important issue of training was forced to a vote without the serious concerns of employer groups being listened to.

Minister, can you tell us why you have alienated these appointees to the agency to the point where they feel they must resign in order to be heard?

Hon Bob Mackenzie (Minister of Labour): The decision regarding the hours of training for certification was made through a vote, and that provision is allowed for in the by-laws of the agency. The two vice-chairs from management and labour jointly decided to successfully resolve the issue. While the ministry has encouraged the agency in its efforts to work out the hours-of-training issue, there has never been any interference or authority exercised. The agency has remained true to the spirit of bipartism.

I think it's important to point out that we feel it important to carry on with the good work of the last, Liberal government in here, which set up the agency. It has been two years since the Occupational Health and Safety Act was amended, and it was clearly time to move. It's unfortunate, I think, that some members did feel that they could not support—

Interjections.

The Speaker (Hon David Warner): Order.

Hon Mr Mackenzie: —the issue that had reached general agreement at the agency.

Mrs McLeod: Well, at least the minister has recognized that the resignations today constitute such a serious issue that he has come prepared with a response in order to try and minimize the damage which has been created. But I would suggest to the minister that what is strictly allowed by the rules and what constitutes effective cooperation and collaboration are two very different things; at least, they used to be.

1350

Minister, I would refer to the agency's management advisory committee spokesperson, Shelly Schlueter, who says that these resignations leave the future of the agency very much in doubt. She says the process currently being pursued at the Workplace Health and Safety Agency, with

the involvement and backing of the Ontario government, is on a direct collision course with the agency's stated objectives of reducing accidents and diseases in every workplace in the province.

Minister, will you not admit that your direct and unwarranted interventions have resulted in a crisis which could seriously affect workplace health and safety in this province?

Hon Mr Mackenzie: I want to tell the leader of the official opposition that I reject her charge that we deliberately intervened. I have, and I make it very clear to this House, indicated that I spoke to the full board, both parties of the agency, back in May, when we heard that they might not be able to meet their own deadlines of June, and urged them to do so, and that has been the extent of the involvement in it.

I might also point out to the leader of the official opposition that the delay, now several months overdue, in getting certification and health and training programs in place has seen, for example, five deaths in the last week. It's long past time we had this two-year effort we've been on in place in the workplaces of Ontario.

Mrs McLeod: Minister, the fact is that these responsible individuals who entered into the work of the agency with a desire to bring about cooperative bipartite planning have been forced to resign. They've taken the difficult step of going public with their concerns because of their great fear that workplace health and safety is in fact going to be jeopardized, and that their concerns could not be heard in any way other than through their public resignations.

Minister, I ask you then, why do you believe their resignations have been necessary? And now that you have created this mess, what steps are you going to take to restore confidence in the Workplace Health and Safety Agency as a truly bipartite body that is free of government interference?

Hon Mr Mackenzie: One of the things that's rather interesting is that the motion and the recommendation were moved by a management member and seconded by a management member at the agency. It seems to me that the fact that some people find it difficult to make decisions is not a reason why we go several months past the deadline dates and still have no action taken. That's a responsibility I've got as minister, to see that we do something about the health and safety conditions in Ontario.

The Speaker: New question, the Leader of the Opposition.

Mrs McLeod: Mr Speaker, I'll continue to raise this issue with the Minister of Labour. The minister is well aware that this agency was set up, admittedly by a previous government, as a balanced, bipartite body that would allow both management and labour to deal effectively with the very serious issues—and we agree they are serious issues—of workplace health and safety.

But we remember once before when this minister set up a bipartite committee in order to deal with labour relations in the province, and that particular bipartite committee simply could not be allowed to work and to complete its job.

I ask the minister if he would not admit that this is yet another example of a complete breakdown in the effort to have a bipartite body work effectively. Will he again not admit that his interference in and mishandling of this situation has jeopardized a process that should have worked to protect the interests of health and safety of workers in the province?

Hon Mr Mackenzie: The leader of the official opposition should understand that we have been able to make most decisions at the agency on a consensual basis up until now, and that's certainly what we would like to see happen. But when we reach a point in the centrepiece of the agency's work, which is health and safety certification processes, and you can't reach an agreement within the agency board, they have to make a decision. They can come to the minister and say, "You make the decision," or they can decide to take up the issue themselves and force a vote, which is allowed in the bylaws of the agency. They made that decision.

Mrs McLeod: Minister, you use all the words, but the reality is that in no instance has the effort to have bipartite planning been allowed to work by you or by your government. Minister, I would remind you of Bill 40, where the result of your insistence on pushing forward your legislation has polarized labour and management in this province, and where you continue to refuse to let the tripartite body of labour, management and government even look at the potential impact of that piece of legislation.

I would remind you of the Ontario Training and Adjustment Board, another example where your government is setting up a bipartite body but which very few people believe will really be allowed to function as a truly bipartite body.

Minister, I wonder why you cannot understand that your attitude towards business, your absolute refusal to hear the concerns of any but union leaders, is making any kind of cooperative planning truly impossible. Minister, why are you determined to do everything in your power to drive business and labour apart in this province?

Hon David S. Cooke (Government House Leader): Lyn, what would you do?

Mrs Elinor Caplan (Oriole): You don't know.

The Speaker: Order.

Mr Randy R. Hope (Chatham-Kent): I wonder why we had to carry coffins around. To wake the Liberals up.

Mr Steven Offer (Mississauga North): All you've done is create interference.

Mr Hope: That is exactly why we had to do it; to wake things up.

Mr Offer: Don't you realize they've resigned?

Mrs Caplan: They've resigned because of your incompetence.

Interjections.

The Speaker: The member for Chatham-Kent.

Interjections.

The Speaker: Minister.

Hon Mr Mackenzie: I think it's unfortunate that the leader of the official opposition would try to drag Bill 40 or training boards or any other programs into what has been a relatively successful effort in this province to try to come up with healthier and safer workplaces in the province, and I reject her charges. What I am trying to do is see that we come up with something that does allow us to cut down on the deaths and injuries in the workplace. That's the intent of the agency and the work that's involved with it.

I might point out once again, the motion that was moved was moved by a management member and seconded by a management member. I don't know whether she's rejecting their recommendations totally or not.

Mrs McLeod: Minister, what I'm concerned about is the fact that it is very obvious today that what was set up to be an effective bipartite process has broken down.

Minister, the government House leader called across and said, "What would you do?" I'll tell you what we did. We set up this bipartite agency because we were concerned about workers' health and safety, about health and safety in the workplace. But what would we have done? We'd have let that agency work. We believed it could bring about exactly the kind of results you are saying today it is supposed to bring about.

Minister, we are concerned because as we see this process breaking down, it seems to us that the facts are clear to anyone who does not have your particular set of blinders on. You have not let this agency function in a balanced way and the management representatives on the agency have given up.

Minister, when are you going to realize that it is you and your policies that are the problem? When are you going to take the actions that would be necessary to actually bring business and labour together on the important issues of workers' safety and of economic growth? I don't think the problems are unrelated in the way in which you deal with them and the way in which you create polarization.

Where are you going to go from here, Minister? How are you going to restore the bipartite nature of this agency, and why would anybody believe that you really intend to listen?

Hon Mr Mackenzie: It seems to me that we have to continue with the work. I'm not sure if the leader of the official opposition is saying that a program at the agency—and it's the one area we've had some problems in getting agreement on—that's now several months overdue should be left to go on for ever, which is what she just said. I have the responsibility for that agency, and I'm not prepared to see that we can't make decisions in the province of Ontario.

The Speaker: New question, third party, the member for Waterloo North.

Interjections.

The Speaker: Order. The member for Waterloo North has the floor.

Interjections.

Mr Murray J. Elston (Bruce): It's not even cold today, Mr Speaker. Have a seat.

The Speaker: It's definitely warmer in here today. The member for Waterloo North.

1400

LABOUR LEGISLATION

Mrs Elizabeth Witmer (Waterloo North): My question is for the Minister of Labour. In your unseemly rush to push Bill 40 through the committee before anyone was aware of what was included there, 62 of the amendments that our party proposed on behalf of over 600 groups and individuals who made presentations this summer were never, ever debated or even read into the minutes. These people, I can tell you, are very disappointed that there was no consultation and that their concerns were rejected without any explanation.

Since there was no opportunity for the members of the committee to even discuss why they were defeating our amendments, I'd like to ask you some questions about some of the amendments that we proposed. It's interesting, you've just told us how supportive you are of public health and safety. I would like you to explain why your party opposed the amendment that the Association of Professional Engineers of Ontario requested to section 32 of the bill concerning that clause's conflict with the Professional Engineers Act and the potential danger to the public's health and safety. APEO believes very strongly that health and safety are not negotiable and should not form a part of the collective bargaining process, and so does our party. Why did you reject that amendment?

Hon Bob Mackenzie (Minister of Labour): Health and safety have got to be part of the legislative process as well as workers' involvement in the workplace. I have difficulty understanding the position of the Labour critic for the third party in the argument she's raised.

I want to tell her that we have consulted widely in this province: over 550 groups and the umbrella groups three times around in my ministry. I've been in this House 17 years and I have not seen another piece of legislation where there's been the kind of consultation we proceeded with as we have on this labour bill.

Mrs Witmer: I can tell you, Mr Minister, that your response does not satisfy the Association of Professional Engineers of Ontario. I have their response right here for you. However, I'd like to go on to another amendment, since you feel that you've consulted with so many groups and individuals.

As you know, the Ontario Nurses' Association has requested an amendment to subsection 7(2.4) which would ensure that ONA would be recognized as a professional group, along with the other male-dominated groups, and that its membership could be limited to registered and graduate nurses. ONA was told that if the Ontario Federation of Labour approved of this amendment you would agree to it.

Apparently the OFL refused to discuss this matter with the nurses, and CUPE and OPSEU have opposed this amendment as well. In a letter which the president of ONA sent to you yesterday—you and I have the same letter—I quote, "It is nothing short of insulting that this government would allow CUPE to block our amendment without even

allowing the courtesy of an explanation or without meeting us to try to resolve it."

While I know that there was a meeting this morning between the interested parties at which OPSEU and CUPE indicated their continued opposition to this amendment, ONA has still not received any reason as to why your government is going to defeat our amendment.

Minister, I intend to reintroduce the amendment today. Do you and your colleagues intend to defeat it again and, if so, why?

Mrs Elinor Caplan (Oriole): Gord Wilson didn't think it was a good idea.

The Speaker (Hon David Warner): Order.

Hon Mr Mackenzie: Let me say first that the government heard from ONA very late in the consultation process. Let me also say that joining the professional ranks, in essence, their request—these groups have not had the right to organize previously. ONA has had the right all along to organize, and to insinuate that it has to get the approval from some outside group is wrong. You can take all of your feelings out on this minister, but I can simply tell you they've had the right to organize. The other professional groups have not had the right to organize. There are other unions involved in this field and we're going to have to consult with them. We understand the nurses' position, but there are a lot of answers—

Interjections.

The Speaker: Order.

Hon Mr Mackenzie: —to be received before we move on the issue.

The Speaker: Final supplementary.

Mrs Witmer: Minister, the nurses of this province deserve a better response than that to this issue. You know this is a fairly straightforward request from the nurses which is only going to serve to maintain the situation which currently exists. ONA wants to preserve the status quo which it feels is meeting its needs. The system is working for the nurses and they cannot understand why you insist on rejecting our amendment. Unfortunately, your answer has done nothing to clarify the position.

Mr Minister, I would like you to tell us why the OFL, OPSEU and CUPE are now apparently dictating government policy. Will you explain to the nurses of Ontario why you refuse to accept their very legitimate and reasonable request for this amendment?

Hon Mr Mackenzie: Mr Speaker, the critic—

Interjections.

The Speaker: Order.

Hon Mr Mackenzie: —for the Conservative Party is ill-informed in her comments on the situation with regard to ONA. We have not closed the door on looking at this, but she has not got the information correct. I can also tell her that if we had listened or if we let the OFL dictate what our policy would be, Bill 40 would look a heck of a lot different than what we're debating in this House today.

The Speaker: New question.

Mr Jim Wilson (Simcoe West): My question is to the Minister of Health, and given that I understand from the chief government whip that the minister will be arriving shortly, I ask your permission to stand down the second leader's question.

The Speaker: Agreed. Then we revert to the opposition.

TUITION FEES

Mr Hans Daigeler (Nepean): My question is to the Minister of Colleges and Universities. Minister, I have here a letter to all the NDP members of Parliament. This letter was signed by a rather illustrious array of your supporters. It includes, among others, Gord Wilson, president, Ontario Federation of Labour; Fred Upshaw, Ontario Public Service Employees Union; Patrick Ryan, Canadian Union of Public Employees; Ken Craft, chair, Ontario Federation of Students, and Saul Ross, president, Ontario Confederation of University Faculty Associations.

Here's what the letter says. Mr Speaker, it will take a little while, but I think it's very important to have this on the record and I quote:

"We write because we are alarmed about proposals that would add new and potentially insurmountable barriers to post-secondary education for all but the privileged.

"We understand that both significant increases in tuition fees and reductions in the grant portion of the Ontario student assistance plan are under discussion. Proposals have also been discussed to increase the loan funds available under OSAP—"

The Speaker (Hon David Warner): Does the member have a question?

Mr Daigeler: "—thus increasing levels of student debt.

"As educators, students and trade unionists, we are appalled by these proposals. They contravene—"

The Speaker: Would the member place a question.

Mr Daigeler: "—long-standing NDP policy."

Minister, what are you saying to your NDP backbenchers about these accusations?

1410

Hon Richard Allen (Minister of Colleges and Universities): I guess, Mr Speaker, in a moment like this it would be nice if he could ask the backbenchers directly, but of course he can't under the rules of the House. So I'll undertake to answer on their behalf.

This government has stood from the very beginning for the widest possible access to universities and colleges and all post-secondary educational opportunities. In our first year of office, we gave double the average increase for the university system of any other system across the country. We also have instituted programs such as the women's campus safety program. We've added additional money for disabled students' access. We have a post-secondary native student strategy which wasn't there before. We have done a great deal for student access. We have—

Interjections.

The Speaker: Order.

Hon Mr Allen: —increased the Ontario student aid program by about \$65 million since we came to office. We are giving every support we possibly can to that system in very difficult circumstances.

Mr Daigeler: If I could ask your backbenchers, I'm sure what they would say is that the commitment of the NDP to student concerns was a mile wide when you were in opposition, but it's only an inch deep when you're in government.

From what you said, Minister, it's clear that you will most likely raise the tuition fees again well beyond the transfer rates as you did last year. Minister, will you at least today commit yourself on very wide consultation before you bring in any radical changes to the OSAP grant program?

Hon Mr Allen: I happen to have been in a consultation mode on that subject since May 1991, and I don't know but that the member opposite would probably criticize me for consulting endlessly if I conducted a further consultation.

We've heard every single recommendation that could possibly be made to us; we've measured that against our economic circumstances; we're reviewing all aspects of student aid; we're looking at student needs; we're looking at the fact that in Ontario over the past 10 years we have lost millions of dollars from the federal government in support of our system. We are having to look at all those factors as we weigh our future course.

This government will not knowingly put future barriers in the way of students, and it will do everything it can to maintain the quality of post-secondary education in Ontario.

POLICE JOB ACTION

Mr Gary Carr (Oakville South): My question is to the Solicitor General. This government's inaction on the policing issue has now forced the position and the situation into a logjam. The Metro police association refuses to stop the job action until the Premier meets with it. The Premier has dug in his heels and will not meet with the association until it ends its protest.

Solicitor General, there doesn't seem to be an end in sight. My question is this: What is your plan of action to end this unfortunate and unnecessary situation?

Hon Allan Pilkey (Solicitor General): It is an unfortunate and unnecessary action, and it would be my hope that the Metropolitan Toronto Police Association would end this job action.

The Metropolitan Toronto chief of police, Mr McCormack, and the police services board have, I understand, sought an injunction in the Supreme Court of Ontario to end this illegal action, and the courts will deal with that particular matter.

As for the Premier, he has indicated clearly that at the time of a cessation of this job action he is more than willing to meet with that association, and I have indicated for approximately the past two weeks that my door is open to discuss this matter and obtain a clarification of the regulation. There have in fact been some significant police authorities that have availed themselves of that opportunity,

have obtained that clarification, and I was pleased to pass it to them.

Mr Carr: In other words, the Solicitor General doesn't have a plan.

The civil disobedience displayed by the Metro police is an act of desperation. This government has shown a total disregard for police officers across this province, and now, even two weeks after the protest, you still have no plan to settle this situation.

Mr Speaker and Solicitor General, my caucus and I would like to propose and put forward a compromise to end the logjam. Would you commit today to allow the police in this province to come before an all-party committee of this Legislature to air their grievances, to have their concerns heard and to get some action from this government? Since you don't have a plan of your own, will you commit to that today, Mr Solicitor General?

Hon Mr Pilkey: We have already in the Ministry of the Solicitor General undertaken significant and broad consultation with stakeholders, including the Police Association of Ontario, the Ontario Association of Chiefs of Police and the police service boards and other community groups. All of that was done. The regulations were aired in this particular Legislative Assembly and all of that process has been properly done. The regulation will come into effect on January 1.

The issue of the particular job action by the Metropolitan Toronto Police Association is a matter to be dealt with by the Metro chief of police and the services board, and they are doing so. There would be no necessity or reason at this particular time to follow up on the suggestion from the member opposite.

HEALTH CARDS

Mr Jim Wilson (Simcoe West): My question is to the Minister of Health. Minister, I'd like to return to a serious matter I raised in your absence yesterday. It concerns the close to 12 million health cards that have been issued by your ministry, which is approximately 2 million more than the population of Ontario.

Outside the Legislature yesterday, you were quick to blame the Liberals, and even admitted, "If anyone applied for a health card under their dog's name, there's a good chance they might have received that health card." Given what we know about how many cards have been issued and the ease with which these cards are obtained, the potential for fraud is staggering.

Minister, I want to know when you were first made aware of the situation, and specifically what did you do to prevent further abuse of the health card system?

Hon Frances Lankin (Minister of Health): I thank the member for the question. I was going to stand on our rotation to provide an answer, because the Treasurer had taken it under rotation.

First of all, there are two points the member raises that I would like to correct. In my comments yesterday I indicated that the previous government, in implementing a changeover from the OHIP number to the Ontario health registration number, at that point in time made a determination not to put a verification of applications in up front,

as a system, and to worry about that once the cards had been issued. I indicated that that may have been a decision as a matter of expedience.

In retrospect, in looking at it, it has caused us a problem, and we do have a serious problem of monitoring and verification that needs to take place. I think it is absolutely appropriate to take a look back sometimes and say we could have done something better. This is not simply finger-pointing, and I don't think it's fair to characterize it that way.

What I would say, however, is that the member also needs to get his figures correct. Quite frankly, when we deal with questions from this member in particular, he often has incorrect numbers that he asserts. The 11.9 million cards that have been issued is a number that will continue to grow every day, as new cards are issued every day. What's important to note is that since the time we finished issuing the first set of cards, which was as of last summer, we have put in place verification procedures which have taken well over a million of those cards, those numbers, out of service. They are no longer appropriate cards and they can no longer be used to charge to the system.

There are a number of other steps that we have taken. The member asked for details around identification and resolution of disputes, duplicate registration, analysing and monitoring card utilization. There are 26 initial measures and there are more being taken. In the supplementary perhaps I can give more information.

The Speaker (Hon David Warner): Point of order? What's out of order?

Mrs Barbara Sullivan (Halton Centre): Mr Speaker, I'm concerned that in the minister's response there has been some information that has not been presented quite as accurately as it should be to the House. There was money in the budget since 1990—

The Speaker: The accuracy of information perhaps is something that can be determined through questions and responses, but it is not a point of order.

Mr Jim Wilson: Minister, your attempts to discredit my figures and me personally—

Interjections.

The Speaker: Order.

Mr Jim Wilson: I'd say to the minister that her attempt to discredit me and the figures I'm using in no way helps the beleaguered taxpayers of Ontario.

Minister, you continue to insist that verification procedures have been put in place, yet while you insist that those procedures are in place, fraud and OHIP incompetence continue unabated.

Last year, a gentleman from Oakville applied for a card for his daughter and received the card a couple of months later. Two weeks after receiving his daughter's card, the gentleman received a second card for his daughter with a different number from the first card. The gentleman contacted OHIP to inform them of the mistake, and in the gentleman's own words, "OHIP didn't even acknowledge that they had made a mistake and didn't ask for the card back."

1420

Minister, yesterday you're quoted as saying, "For the life of me, I can't understand why a decision would be made to issue the new cards without a verification system in place at that time." You knew the health card system was flawed and lacked verification mechanisms when your government came to office. Why did you proceed to issue health cards when you knew the system was flawed and open to abuse?

Hon Ms Lankin: I'd like to again clarify one point. I think this is important with respect to the previous minister under the previous government, who was responsible for the introduction of these cards.

The point I have made is that there was a decision taken not to do verification of cards upon application. So the initial cards would be sent out and after distribution of the cards, when that process was over, there was a system of verification to be put in place. I think it's important to stress again that in hindsight, I disagree with that decision. I might have made the same decision if I were in that place at that point in time. This is not simply finger-pointing, but it is a problem we're faced with now in terms of a number of cards out there.

The member says I knew about this, so why didn't we just stop the issuing of cards? Talk about a further waste of money. We were in the process of already having millions of cards issued out there, we had a backlog in the offices and we needed last summer to get that backlog cleared and get the cards out there.

Since that time we have put in place procedures—and they are working their way through the system and they're actually getting results—of identification and resolution of duplicate registration. We're looking at areas where we can monitor out-of-country services in border vacation locations. We've set up a registration analysis unit. As we have had surplus employees in one area of the ministry, we have reallocated or relocated them to look at analysis of this problem. I think we are moving on this with the best of the technology available and with the resources available.

What we've achieved is that 1.2 million of those cards have been rendered inactive. We always know there will be a difference between the numbers that are out there, with births and deaths, and the numbers of people who are in the population. Quite frankly, we think we still have—

The Speaker: Could the minister complete her response, please.

Hon Ms Lankin: —about 400,000 cards that we need at this point in time to further analyse and to find out whether or not there is fraud, whether or not there are duplicates, whether there are deaths. We are working on that. I think we're doing a very competent job.

Mr Jim Wilson: To the minister again, your statement that you are carrying out verification procedures now is small consolation to Ontario taxpayers, who know that the health card system is being exploited. Recently, I was contacted by a woman who works in a neurology clinic in Toronto who told me that four Iranian citizens who have health cards routinely visit Ontario for health care treatment.

Minister, your so-called procedures in the system are not working. Your ministry has never recalled the 1.2 million cards in circulation that either belong to dead people, are duplicates or are considered fraudulent. I presume you've cancelled these numbers in the government's computer, but the cards are still out there and they can be used by anyone to obtain health care services.

What steps have you taken to recall the 1.2 million cards out there?

Hon Ms Lankin: When the member raises examples that he has been made aware of with respect to citizens of foreign countries who are using the services etc, I take those as very important examples and would be very pleased to work with that member to follow up on those sorts of things. Those are the exact kinds of problems our system is prone to experiencing that we need to ensure we follow up. Where there are those examples or the earlier example he raised, I would be very pleased to work with him on that.

With respect to the cards that are out there, as he has indicated, we've taken the first step, which is to make them inactive within the ministry's system. Whenever there is a billing registered against that card, it allows us, through the verification analysis unit, to follow up on that card, to be able to trace down that individual and to be able to do something about withdrawing that from the system.

The next steps are to develop an interactive system with the doctors. As you know, over the last number of years the Ministry of Health, under the previous government and this government, has worked very hard to move more doctors on to a direct billing system, on to an interactive technology for machine-readable input. As we complete that process, we can bring in place the kind of technological advantages that will allow us to have this kind of verification.

I say again that I don't dismiss the member's concerns. I'm glad he's concerned. So am I. We are taking steps. I think we are being very effective in trying to deal with this issue.

MEDICAL LABORATORIES

Mr Mike Farnan (Cambridge): My question is to the Minister of Health. I preface my remarks: I suspect all members of the House would want to join me as I commend the Minister of Health for her extraordinary leadership in achieving significant efficiencies in the field of health care.

Interjections.

The Speaker (Hon David Warner): Order. Now that the member has captured everyone's attention, perhaps he could place a question.

Mr Farnan: Minister, provincial expenditures on laboratory services are approximately \$1 billion a year, and they continue to increase. What action are you taking to ensure that this large amount of taxpayers' money is being spent effectively?

Hon Frances Lankin (Minister of Health): There are a number of initiatives in the area of laboratory services that have been undertaken: first of all, our continued

negotiations with the association around the fee schedule and around how much we pay for various lab tests. We took some actions which I think the association correctly objected to. They sat down, worked with us and found some better alternatives. That's paying off. We are seeing some savings as a result of that.

We've also looked at the need to review the whole area of lab services in terms of looking at issues of utilization, trends, causes, service needs. We know this is often driven by doctors ordering tests and then we end up paying for it. We have to look at the efficacy of the tests and look at whether there were indications that warranted the ordering of those tests.

There's some work we need to do with a lot of stakeholders. We've brought them together in an advisory committee to be part of a review. We've appointed Diana Schatz as chair of this advisory committee. People will know of her qualifications in this area. They were appointed this month and we expect that we will be seeing results from that process over the next number of months.

Mr Farnan: Of the \$1 billion I referred to, Minister, the 1991 budget said that \$490 million was spent on fees for service to private laboratories. As the amount spent on public laboratories is part of a hospital's global budget, how can we sure that the level of funding for public laboratories is sufficient to provide the same level of service as that provided by private laboratories?

Hon Ms Lankin: This issue has often been presented as one of equity. I know that workers in hospital labs, managers of hospital labs and hospital CEOs have often suggested that the response might be to bill outpatients under the fee-for-service schedule, the same as private labs do. In fact, I remember a time when I was an advocate on behalf of hospital lab workers when I advocated that same thing.

Having come into the position and looked at it a bit more, I understand that within the hospital's global budget there are in fact already funds allocated for the running of labs for both inpatient and outpatient. This doesn't mean, with the kind of restraint we've seen on hospital budgets, that they don't have problems and that there isn't a tendency therefore to move outpatient work out to private labs and use those funds that might have been allocated for that for other services within the hospital.

This is one of the issues that is clearly one of the points of reference of the review. It's not the only one. It is an issue I can't give you the answer to but one we're concerned about and that we've asked the advisory committee and others to advise us on.

1430

LEGAL AID

Mr Robert Chiarelli (Ottawa West): My question is to the Treasurer. Treasurer, several days ago I referred a constituent with a WCB problem to a legal aid clinic in my riding. The constituent called me and said that the legal aid clinic was no longer accepting WCB files.

I contacted the legal aid clinic and spoke to a staff lawyer who indicated to me that they are absolutely swamped with files and that they've made a decision they

are no longer accepting WCB files or immigration files. The staff lawyer indicated to me, Treasurer, and this is an exact quote, "There is a sudden occurrence of a lot of people calling because their WCB supplements are being cut off."

I've also learned, Treasurer, that this is the case across the province, including places such as St Catharines. The workload crisis is so severe, Treasurer, that clinic directors Peter Showler from Ottawa and Jim Arenburg from Sudbury recently issued a statement in which they said the following, "The clear implication is that this government does not value the work of legal clinics and therefore does not value the plight of the poor."

My question, Treasurer, is this: The poor are clearly losing access to justice in Ontario. What are you going to do now to remedy this unacceptable situation?

Hon Floyd Laughren (Treasurer and Minister of Economics): I believe the member had a legitimate question. I don't know why he felt he had to clutter up the end of it with a lot of nonsense.

This government needs no lecture from the Liberal opposition in this province on its commitment to people who are poor in this province, absolutely none whatsoever. At a time when this province experienced the greatest prosperity since the Second World War, the official opposition, which was then in government, chose not to take actions that could have alleviated a lot of problems.

Having said that, I can assure the member opposite that there is a commitment to the people who have less than most of us in this province. Secondly, to say or to imply that workers' compensation claimants suddenly have a problem is really to stretch credibility to the breaking point, because he knows as well as I know, that certainly in the 20 years I've been in this assembly, the problem of workers' compensation has been a consistent one regardless of who was in office.

Mr Chiarelli: Treasurer, your commitments are worth only the rhetoric that comes from that side of the House. The fact of the matter is that legal clinics across this province are refusing access to justice for poor people because they're underfunded and they have no commitment; in fact, they have no strategy from your Attorney General. The fact of the matter is that WCB injured workers are not given access to legal services in this province. You, Treasurer, are permitting the legal aid clinics to be funded on the backs of injured workers. What are you going to do about it?

Hon Mr Laughren: What the member says is total and absolute nonsense. This Attorney General has a greater commitment to legal aid clinics than any Attorney General in the history of this province. The member opposite should understand that. That's absolutely true. There's been an increase in funding to the legal aid clinics, but I can—

Interjections.

The Speaker (Hon David Warner): Order. Treasurer.

Hon Mr Laughren: The member opposite knows that this Attorney General does have a major commitment to legal aid clinics, and this government has made a major

commitment to injured workers in this province. But I can tell the member opposite—

Mr Chiarelli: Two minor projects three years down the road. Big deal.

Interjections.

The Speaker: Order.

Hon Mr Laughren: I want to deal with the problem of legal aid clinics and the number of injured worker claimants in a rational way. But I can tell the member—

Mr Chiarelli: Document the fact that they won't give them access.

Hon Mr Laughren: If the member opposite will stop yapping for one minute, I'll give him an answer.

I can tell the member opposite that this government is not going to follow the policy of the previous government that simply opened the purse-strings on every problem that came along. You would bankrupt this province if you were still in office.

PAROLE OFFICERS

Mrs Dianne Cunningham (London North): My question is to the Minister of Correctional Services. Mr Minister, at a time when increasing numbers of violent offenders are being placed back into the community—

Interjections.

The Speaker (Hon David Warner): Order, order. With the cooperation of the member for Ottawa West and the member for London North, we'll be able to ask a question.

Mrs Cunningham: Mr Minister, at a time when increasing numbers of violent offenders are being placed back into the community with occasionally tragic consequences, why then is your ministry secretly lowering the standards needed to be a parole officer?

Hon David Christopherson (Minister of Correctional Services): I'm familiar with the issue and we've received a number of concerns from probation and parole officers. I'm sure the member is aware that there's been an attempt on the part of this government to recognize other life skills and life experiences that would allow people to qualify for certain jobs that otherwise have been closed off to them. On this particular issue, there has been a six-month review period that I have been given to look at the issue, and I'm currently doing that.

Mrs Cunningham: Neither the parole officers' association nor its union was made aware of any of these changes. This is a government that's supposed to consult, and quite frankly, I'm even more disappointed than I expected to be with the minister's response. I thought he'd probably say something like, "The level of expectation is the same," but he didn't, so I'm going to ask this question again.

Mr Minister, for the benefit of our young people entering post-secondary education, and at a time when our educational system is apparently very serious about providing the kinds of candidates we want for these positions—and if you don't understand that, speak to the Minister of Colleges and Universities—why would you then, Mr Minister, be

lowering the standards instead of keeping them exactly the same—that's a university degree—or expecting even more specifics to go with this most important job that not only helps people to get back into society, but helps us to keep our society safe? Why would you do such a thing at this time?

Hon Mr Christopherson: First of all, I would again state to the honourable member that this decision has not yet been taken. I don't know how much clearer I can be. That decision has not been made. I am reviewing the matter. There is a goal in our ministry, as there is in all ministries, to ensure that we have adequate requirements for people who perform very important positions, and these certainly are that.

Mrs Cunningham: Why are you even thinking about it?

The Speaker: Order.

Hon Mr Christopherson: The member insists on saying that we're lowering the qualifications in other places in the government where this has happened. It's to look at other experiences that would give equal requirements, not lower the standards. But again, the matter is under review. I am actively looking at it, and when a decision is rendered—

Mrs Cunningham: Give me a break.

The Speaker: The member for London North.

Hon Mr Christopherson: —the honourable member as well as everyone else will be informed of it.

CHILDREN'S SERVICES

Mr Larry O'Connor (Durham-York): I have a question for the Minister of Community and Social Services. Minister, many parents and teachers in my riding have been asking me about the status of the work you and your ministry are doing on the integration of children's services. In fact, Minister, last Friday I met with a school principal in Stouffville secondary who was asking me about this. Often, parents and their children must go to several different agencies to access needs and services. This is often time-consuming and very frustrating.

Minister, can you tell me, the House and the viewers exactly what's being done on this interministerial committee, its priorities and time frames? I understand there's a secretariat being set up to link up the ministries and their services. Could you please tell us when this will be in place?

Hon Marion Boyd (Minister of Community and Social Services): I thank the member for the question. The issue of interministerial cooperation and the integration of children's services is one of the priorities of our ministry in terms of managing the current situation we find ourselves in, both in terms of the disarray of those services and their ability to meet the needs of individual children and families and also, of course, the hard times that all these services are facing in terms of the recession.

The interministerial committee consists of representatives of the Ministry of Education, the Ministry of Community and Social Services, the Ministry of Health, the Ministry of Tourism and Recreation and the Ministry of

Housing as primary members, and then the criminal justice ministries are also part of that, as is the Ontario women's directorate.

What the group is doing initially is setting out a framework for policy development on integration that will really look at how we look at funding and program development to ensure that integration exists. The chair of the committee is the assistant deputy minister in Education and we are modelling this as an integrated approach.

1440

Mr O'Connor: Minister, you never mentioned the secretariat that's going to link all the ministries and their services together. There's a concern about how the principle, in particular, is going to work, and I'm sure the secretariat might just answer some of those questions.

Hon Mrs Boyd: I'm sure this is why the question arose, because we have sent out announcements to the community that's concerned about the secretariat. It is located in the Ministry of Education. The person who is heading that up is named Suzanne Hamilton. The idea is to coordinate the work of the committee and to bring in proposals that come in from communities and really vet those through the community. So we think it will be an effective way of ensuring that the good policy work that's done actually gets put into action by the various ministries involved.

CHILD ABUSE

Mrs Yvonne O'Neill (Ottawa-Rideau): I'm sorry I didn't have an opportunity to respond to that ministerial statement. My question is to the Minister of Community and Social Services. In the Prescott area, we have a project called Jericho, which unfortunately continues to discover a massive, multigenerational network of child abuse. Up to this point, we have almost 200 alleged victims.

Madam Minister, Project Jericho is a unique intervention model and was the first child sexual abuse investigation in Canada to have police and social workers working together as a team. It has become a model. The social workers and police officers on Project Jericho have just been told that the team is about to be dissolved and its members are going to be reassigned to new duties. This team investigates allegations. This team counsels children and families, gives advice to parents and foster parents and continues to be subpoenaed to court. The dismantling of this team will indeed decentralize efforts and resources at a critical time. Madam Minister, why are you undermining this success?

Hon Marion Boyd (Minister of Community and Social Services): We are certainly continuing to provide the services that families and children need in this circumstance. The action that has been taken, in terms of the regularization of the process, is because it's not an emergency at this point; it's an ongoing process that is going to take a number of years. We need to be funding and supporting that service in the way we do in other communities so that the additional resources that have been attached to this project, for the various areas, will continue to be available

but the actual way in which it has been delivered will be put into the normal operation of the CAS.

I understand from the Solicitor General that the office the police have had will be maintained there but that the individual personnel who have formed the initial team naturally are moving on because of career changes.

Mrs O'Neill: Madam Minister, my knowledge is very different than yours. I do not think people are moving on because of natural career changes. I do think they're being asked to change duties and go into routine duties.

This is a situation that is unique to this community. It's multigenerational, as I said. It spreads itself continually. You're telling me that it's like other communities and must have the same services as other communities.

Madam Minister, it has been recently announced that there will be cuts in staffing to this project on December 31, 1992, reducing the level of services to children in their own natural homes who are victims of this profound tragedy. The case loads of the workers assigned to these victims, these victims who are particularly at risk, will rise from 15 to 1 to 30 to 1 on December 31. Why, Madam Minister, are you cutting staff assistance to vulnerable children who have already endured a horrendous nightmare?

Hon Mrs Boyd: As this situation has unfolded, we have learned a great deal about how the needs need to be provided. Although we certainly have been criticized in the press, we are not in our view reducing the level of service that's going to be available overall. We are certainly changing the way in which we are delivering that service, and we are doing that because of what we have learned during the whole course of the situation.

The member is well aware that this is an area in which I am quite experienced. Indeed, one of the agencies in my home town, the London Family Court Clinic, was one of the major initial parts of the project that was set up. I knew about it long before I was part of this place.

It is very important for the member to understand that, in terms of the initial kind of response, we had to get up and running a lot of services that were not originally available in that community. They are going to need to be available over a long period of time and cannot be continued on an ad hoc basis. They need to be provided in a regular way—

The Speaker: Would the minister conclude her response, please.

Hon Mrs Boyd: —so that community can be assured that they are going to be available over the long run. That's my concern.

We now have a large number of those children who have become wards of the court.

The Speaker: Would the minister please conclude her response.

Hon Mrs Boyd: They are our responsibility through another whole situation. As the state as parent obviously has a very strong need—

The Speaker: Would the minister take her seat, please.

LABOUR LEGISLATION

Mr David Turnbull (York Mills): After that statement to the House by both sides there, my question is to the Minister of Labour. Minister, in five days Canadians will be voting on the most significant issue our country has faced since Confederation. At this time of national decision-making, this Legislature is being forced to consider the most important piece of legislation brought before this House by your government: Bill 40, changes to the labour law, a piece of legislation which undoubtedly is pivotal to the economic health and future wellbeing of Ontario.

Impact studies show 295,000 jobs lost and \$8.5 billion in forgone investment.

Interjections.

The Speaker (Hon David Warner): Order.

Mr Turnbull: This will prolong the recession. Is the minister so ashamed of the bill that he's trying to sneak it through the House—

Interjections.

The Speaker: Order. Will the member please take his seat. When order has been restored to the chamber, I will allow the member to briefly place a question.

Mr Turnbull: Okay, my question to the minister is, is he so ashamed of this bill that he's trying to sneak it through when the media's attention is distracted? How can he justify pushing such major legislation through when the attention of the public is gone?

Interjections.

The Speaker: Order. Minister of Labour.

Hon Bob Mackenzie (Minister of Labour): I want to assure the honourable member for York Mills that I'm not trying to sneak the bill through. I don't know a bill that has been more in the public spotlight than my bill.

The Speaker: The time for oral questions has expired.

Mr Turnbull: On a point of order, Mr Speaker: I would like to register my dissatisfaction with that answer and I'm calling for a late show on that.

Interjections.

The Speaker: Order. Occasionally, members are dissatisfied with responses. I trust that the member will file—

Interjections.

The Speaker: Maybe we should turn the heat off. Even a modicum of restraint on both sides of the House would be helpful. I trust that the member for York Mills will file the necessary document at the table.

1450

PETITIONS

RETAIL STORE HOURS

Mr James J. Bradley (St Catharines): I have a petition from Emmanuel Baptist Church, 607 Vine Street in St Catharines. It reads as follows:

"I, the undersigned, hereby register my opposition in the strongest of terms to Bill 38, which will eliminate Sunday from the definition of a legal holiday in the Retail Business Holidays Act.

"I believe in the need for keeping Sunday as a holiday for family time, quality of life and religious freedom. The elimination of such a day will be detrimental to the fabric of society in Ontario and will cause increased hardship on many families. The amendments included in Bill 38, dated June 3, 1992, to delete all Sundays except Easter from the definition of a 'legal holiday' and reclassify them as working days should be defeated."

I agree with the sentiments of this petition and present it on behalf of those who have brought it to my attention.

GAMBLING

Mr Bill Murdoch (Grey): I have a petition to the Legislative Assembly of Ontario.

"Whereas it is against United Church of Canada policy to indulge in any type of gambling

— Gambling casinos bring crime to a community

— Not everyone has the self-control to limit their betting

— Low-income people will suffer from unwise use of their resources

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Be it resolved that the Toronto Conference of United Church Women do strongly object to the Ontario government's proposed legislation to promote offtrack betting, sports lotteries and gambling casinos."

I've also affixed my signature.

FRUIT GROWERS

Ms Christel Haeck (St Catharines-Brock): I am presenting a petition signed by 24 members of the Carleton United Church of the Niagara Presbytery. This petition deals with the tender fruit growers in Niagara and it states:

"Whereas the Ontario tender fruit growers are in financial crisis,

"Therefore, we, the members of the Niagara Presbytery of the United Church of Canada, petition the Ontario government to act immediately to find a solution to economic viability of tender fruit farms.

"Whereas the Ontario tender fruit growers are in financial crisis; and

"Whereas the Ontario government is undertaking an agricultural land protection program,

"Therefore, we, the members of Carleton United Church, strongly oppose restrictions on tender fruit land until economic viability of the tender fruit growers is restored."

MUNICIPAL BOUNDARIES

Mr Ron Eddy (Brant-Haldimand): I have a petition:

"That the Legislature of Ontario reject the arbitrator's report for the greater London area in its entirety, condemn the arbitration process to resolve municipal boundary issues as being patently an undemocratic process and reject the recommendation of a massive annexation of land by the city of London."

This is signed by 33 citizens of Middlesex county and I have affixed my signature.

GAMBLING

Mr Ted Arnott (Wellington): I have a petition that reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the NDP government is considering legalizing casinos and video lottery terminals in the province of Ontario; and

"Whereas there is great public concern about the negative impact that will result from the abovementioned implementations,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government stop looking to casinos and video lottery terminals as a 'quick-fix' solution to its fiscal problems and concentrate instead on eliminating wasteful government spending."

I have affixed my signature as well.

Mr Dennis Drainville (Victoria-Haliburton): Mr Speaker, I'm bringing 350 names here today to add to the hundreds of names that have been brought before.

"To the Legislative Assembly of Ontario:

"Whereas the New Democratic Party government has traditionally had a commitment to family life and quality of life for all the citizens of Ontario; and

"Whereas families are made more emotionally and economically vulnerable by the operation of various gaming and gambling ventures; and

"Whereas the New Democratic Party government has had a historical concern for the poor in society, who are particularly at risk each time the practice of gambling is expanded; and

"Whereas the New Democratic Party has in the past vociferously opposed the raising of moneys for the state through gambling; and

"Whereas the citizens of Ontario have not been consulted regarding the introduction of legalized gambling casinos despite the fact that such a decision is a significant change of government policy and was never part of the mandate given to the government by the people of Ontario,

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government immediately cease all moves to establish gambling casinos by regulation and that appropriate legislation be introduced into the assembly, along with a process which includes significant opportunities for public consultation and full public hearings as a means of allowing the citizens of Ontario to express themselves on this new and questionable initiative."

I've signed this, Mr Speaker, and it's my pleasure to present it to this House.

RETAIL STORE HOURS

Mr James J. Bradley (St Catharines): I have a petition from a number of people in St Catharines concerning Sunday shopping. It reads as follows:

"Whereas the NDP government is considering legalizing Sunday shopping in the province of Ontario; and

"Whereas there is great public concern about the negative impact that will result from the abovementioned implementations,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government uphold the common pause day. We are opposed to Sunday shopping and we want one day a week for all, free from shopping and work."

I agree with this petition and present it on behalf of those who brought it to my attention.

COUNTY RESTRUCTURING

Mr Allan K. McLean (Simcoe East): I again today have 310 names on a petition that says:

"Whereas the Minister of Municipal Affairs has seen fit to ignore the council of the township of Tiny and their plea for reconsideration of boundary line changes within the municipality; and

"Whereas the minister has stated that restructuring within the county of Simcoe will be implemented,

"Now, therefore, the taxpayers of the township of Tiny find it necessary to band together and lobby against the implementation of the restructuring of the county of Simcoe.

"We, the undersigned, petition the Legislative Assembly of Ontario to refrain from passing the County of Simcoe Act until the provincial government deals with the township of Tiny in a fair and equitable manner."

As I said, it has 310 names and I have affixed my name to it.

MUNICIPAL BOUNDARIES

Mrs Irene Mathyssen (Middlesex): I have a petition signed by 29 citizens of the county of Middlesex in regard to the greater London area arbitration. These citizens respectfully petition the Legislature of Ontario to set aside the arbitrator's report because it does not reflect the expressed wishes of the majority who participated in arbitration hearings, it awards far too extensive an area of annexation to the city of London and it will jeopardize the viability of the county of Middlesex and our rural way of life.

I have signed my name to this petition.

RETAIL STORE HOURS

Mr David Ramsay (Timiskaming): I have two petitions here, one from the Haileybury Pastoral Charge of the United Church of Canada and the other from the Haileybury and District Baptist Church, and it's in regard to Sunday shopping. I'll just read one of them:

"We, the undersigned, hereby register our opposition to wide-open Sunday business."

It reads:

"I believe in the need of keeping Sunday as a holiday for family time, quality of life and religious freedom. The elimination of such a day will be detrimental to the fabric of society in Ontario and cause increased hardship on retailers, retail employees and their families. The proposed amendment on the Retail Business Holidays Act, Bill 38, dated June 3, 1992, to delete all Sundays except Easter from the

definition of a 'legal holiday' and reclassify them as working days should be defeated."

GAMBLING

Ms Christel Haeck (St Catharines-Brock): I am presenting a petition signed by 85 members of the Virgil Mennonite Brethren Church who are in opposition to the proposal to license a permanent gambling establishment in the Niagara Peninsula. The petition states:

"I, the undersigned, hereby register my opposition in the strongest of terms to the proposal to establish and license a permanent gambling enterprise in the Niagara Peninsula. I believe in the need of keeping this area as a place where a family and holiday time will be enriched with quality of life. Such gaming establishments will be detrimental to the fabric of the society in Ontario and in the Niagara region in particular. I believe that licensed gambling will cause increased hardship on many families and will be an invitation for more criminal activity. By my signature here attached, I ask you not to license gambling anywhere in the Niagara Peninsula."

I have affixed my signature.

Mr James J. Bradley (St Catharines): Mr Speaker, on a point of order: I'd like to indicate my support for the petition presented by the member for St Catharines-Brock.

The Speaker (Hon David Warner): You definitely have a point of interest.

1500

LANDFILL

Mr W. Donald Cousens (Markham): I have, it looks to me, close to 4,000 petitions from people in York, Durham and Peel, and I have affixed my name to these petitions, to the one on top.

"To the Legislature of Ontario:

"Whereas the Interim Waste Authority has released a list of 57 proposed sites in the regions of York, Durham and Peel as possible candidates for landfill;

"Whereas the decision to prohibit the regions of the greater Toronto area from searching for landfill sites beyond their boundaries is contrary to the intent of the Environmental Assessment Act, section 5(3); and

"Whereas willing host communities such as Kirkland Lake will not be allowed to have a proper hearing to consider the Adams mine site as a possible solution to the greater Toronto area garbage,

"We, the undersigned, petition the Legislature of Ontario as follows:

"That the Legislature of Ontario repeal Bill 143 in its entirety and allow a more democratic process for the consideration of future options for the disposal of greater Toronto area waste, particularly the consideration of disposal sites beyond the boundaries of the greater Toronto area where a willing host community exists which is interested in developing new disposal systems for the greater Toronto area waste."

I submit this in the hope that the government will do something with it other than just file it.

STANDING ORDERS REFORM

Mr Ron Eddy (Brant-Haldimand): I have a petition to the Legislative Assembly of Ontario.

"Whereas Premier Rae of the province of Ontario has forced upon the Ontario Legislature a change in the rules governing the procedures to be followed in the House; and

"Whereas Premier Rae has removed from members of the opposition the ability to properly debate and discuss legislation and policy in the Legislature by limiting the length of time a member may speak to only 30 minutes; and

"Whereas Premier Rae, who once defended the democratic rights of the opposition and utilized the former rules to full advantage in his former capacity as leader of the official opposition, has now empowered his ministers to determine unilaterally the amount of time to be allocated to debate bills they initiate; and

"Whereas Premier Rae has reduced the number of days that the Legislative Assembly will be in session, thereby ensuring fewer question periods and less access for the news media to provincial cabinet ministers; and

"Whereas Premier Rae has diminished the role of the neutral elected Speaker by removing from that person the power to determine the question of whether a debate has been sufficient on any matter before the House; and

"Whereas Premier Rae has concentrated power in the Office of the Premier and severely diminished the role of elected members of the Legislative Assembly, who are accountable to the people who elect them,

"We, the undersigned, call upon Premier Rae to withdraw the rule changes imposed upon the Legislature by his majority government and restore the rules of procedure in effect previous to June 22, 1992."

It's signed by a number of citizens and I've affixed my signature.

INTRODUCTION OF BILLS

CITY OF BURLINGTON ACT, 1992

On motion by Mrs Sullivan, the following bill was given first reading:

Bill Pr3, An Act respecting the City of Burlington.

ORDERS OF THE DAY

LONDON-MIDDLESEX ACT, 1992

LOI DE 1992 SUR LONDON ET MIDDLESEX

Deferred vote on the motion for second reading of Bill 75, An Act respecting Annexations to the City of London and to certain municipalities in the County of Middlesex / Loi concernant les annexations faites à la cité de London et à certaines municipalités du comté de Middlesex.

The Speaker (Hon David Warner): This is a deferred vote on Bill 75. There will be a five-minute bell.

The division bells rang from 1505 to 1510.

The Speaker: Would all members please take their seats.

Mr Cooke moves second reading of Bill 75. Those in favour of the motion will please rise one by one.

Ayes

Abel, Akande, Allen, Boyd, Buchanan, Carter, Christopherson, Churley, Cooke, Cooper, Coppen, Dadamo, Drainville, Farnan, Ferguson, Fletcher, Frankford, Gigantes, Grier, Haeck, Hansen, Harrington, Haslam, Hayes, Hope, Huget;

Jamison, Johnson, Klopp, Kormos, Laughren, Lessard, Mackenzie, Malkowski, Mammoliti, Marchese, Martel, Martin, Mills, Morrow, Murdock (Sudbury), O'Connor, Owens, Perruzza, Pilkey, Pouliot, Silipo, Sutherland, Wark-Martyn, Wilson (Kingston and The Islands), Winninger, Wiseman, Wood, Ziemba.

The Speaker: All those opposed to Mr Cooke's motion will please rise one by one.

Nays

Arnott, Bradley, Brown, Caplan, Conway, Cousens, Daigeler, Eddy, Elston, Fawcett, Grandmaitre, Mancini, Mathysen, McClelland, McGuinty, McLean, McLeod, Miclash, Morin, Offer, O'Neill (Ottawa-Rideau), Phillips (Scarborough-Agincourt), Poirier, Poole, Ramsay, Sterling, Stockwell, Sullivan, Turnbull, Villeneuve.

Clerk Assistant and Clerk of Journals (Mr Alex D. McFedries): I now have to ask Mrs Cunningham, Mrs Marland and Mr Harnick.

[Applause]

Mr James J. Bradley (St Catharines): Never mind the applause. Vote with her.

The Speaker: Order. I ask the member for St Catharines to please take his seat.

Interjections.

The Speaker: Order. I ask the member for St Catharines to please come to order.

All members know that once in the chamber it is necessary to cast a vote. I ask the members for, first, London North, which way she wishes to vote: for or against?

Mrs Dianne Cunningham (London North): I'll be voting in favour.

Clerk Assistant and Clerk of Journals: Mrs Cunningham.

The Speaker: And the member for Mississauga South?

Mrs Margaret Marland (Mississauga South): In favour.

Clerk Assistant and Clerk of Journals: Mrs Marland.

The Speaker: And the member for Willowdale?

Mr Charles Harnick (Willowdale): In favour.

Clerk Assistant and Clerk of Journals: Mr Harnick.

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 57, the nays 30.

The Speaker: The ayes being 57 and the nays 30, I declare the motion carried. Shall the bill be ordered for third reading?

Hon David S. Cooke (Government House Leader): No, the finance committee.

The Speaker: Finance committee? So ordered. Orders of the day.

Hon Mr Cooke: The fifth order.

Acting Clerk Assistant and Clerk of Committees (Ms Deborah Deller): The fifth order. Committee of the whole House.

CONSIDERATION OF LEGISLATION

Mr Murray J. Elston (Bruce): Mr Speaker, on a point of order: If this is to call for committee of the whole House, Bill 40, I wish to raise with you a point of order which in my view would prevent us from dealing with Bill 40 in committee of the whole House. Under section 77(c)—

The Speaker: If I could be of assistance to the member, first of all, I am at this very moment not able to know what it is that we're being called to do.

Mr Elston: Since it's the only item on our list, it's pretty easy to assume that that's what we're going to deal with.

The Speaker: I wonder if it would be possible to get some direction from the government House leader as to the purpose for calling committee of the whole.

Hon Mr Cooke: It was our intention to call Bill 40.

The Speaker: I would be pleased, in that instance, to hear from the House leader for the opposition.

Mr Elston: Mr Speaker, since it is the intention of the government party to call Bill 40 in committee of the whole House, I wish to bring to your attention and to the attention of other people that under standing order 77(c), it specifically says with respect to the conduct of public business, "When a bill that is reported from a standing or a select committee is referred to the committee of the whole House, it shall not be taken up earlier than the second calendar day after the referral."

Mr Speaker, I have for you a copy of this particular set of the standing orders for your edification and so you don't have to refer to it straight away in your office. I also give to you a copy of the resolution that was passed under Mr Cooke's name on behalf of the government which talks about the conduct of the government business with respect to Bill 40.

When you read through it, you will note that it specifically indicates time lines and time frames for conducting each stage of business, starting with what would be described as the last day of second reading debate and carrying on through until the passage of the bill. It clearly says that we are to consider Bill 40 in committee of the whole House for two sessional days, but it does not preclude the use of standing order 77(c) as to determining when committee of the whole House may start.

My point to you, Mr Speaker, is that while a time allocation motion like this, which is now the regular order of government business, supersedes the regular operation of standing orders, it is not going to supersede a standing order which in fact is not talked about in the text of the time allocation motion.

I therefore indicate to you that while the time allocation motion says that two days shall be held for committee

of the whole House, it does not tell us that 77(c) of the standing orders is to be abrogated in the consideration of it. I request that you review this and find that the motion to move to committee of the whole House to consider Bill 40 is in fact out of order and that we not now deal with that because it would be a violation of standing order 77(c).

The Speaker: To the member for Bruce—first of all, I must ask if there is any other member who wishes to contribute to this particular point of order and be of assistance.

1520

Mr W. Donald Cousens (Markham): Mr Speaker, on a point of order: It is a rather important point when you consider that the standing orders have been developed by all members of the House and hopefully in the best interests of the House. Section 1 of the standing orders indicates:

"1(a) The proceedings of the Legislative Assembly of Ontario and in all committees of the assembly shall be conducted according to the following standing orders."

Therefore, as you understand the importance of 77(c), it would indicate the necessity of having some time for such bills to be given a period of time in which they are held in abeyance before they come into the House, to give all members an opportunity to be prepared and ready and on deck in order to respond to it.

There's a scheduling matter that gets involved with a number of people. To expect them to be able to respond without any kind of cooperation coming from the government makes it extremely difficult. When there is an opportunity to know what is coming and when, through the due process of giving notice, those members who want to participate in those debates will be able to schedule their agendas accordingly.

When the government, on its own initiative and without prior consultation, goes ahead and changes activities that are going to be scheduled in the House, as we have today, it takes away from the whole purpose of the standing orders and the trust that everybody has built within them.

I have to say, Mr Speaker, though you're caught on short notice of this, as it's been tabled and it's come, I can understand the frustration you have when you're in the chair and you don't have proper notice of it and have to respond very quickly. How much more that is true for members of the Legislature, when we, who are trying to schedule our time on a regular consistent basis to speed and accelerate the activities of the House, find this kind of surprise coming from the government House leader.

Therefore, when you are considering this, I have to echo much of the intent that has been tabled by the honourable House leader of the Liberal Party. I have to say on behalf of the Progressive Conservative Party that we read section 77(c) as having a necessity for more than the time allowed before such an activity can be scheduled in this House.

I hope, having drawn your attention to it and having referred to some of the precedents that have been part of this House, that we will not see this as a time for the Chair to break new precedent. In defence of the government House leader, I would have to say that we have not begun

to look at such items as the Sunday shopping legislation, we have not had full and complete debate of the budget; there are numerous other bills like that which the people of Ontario are waiting for this House to deal with. If the government House leader were able to establish a time schedule and deal with the agenda of the government in a way that all members of this House would understand it, it would increase the sense of cooperation that could be established in this House.

Every time the government House leader begins to think he can make rules or doesn't know the rules or doesn't follow the rules, I think he further undermines a sense of orderly conduct of business in this Legislature.

In presenting this as a concern, I sincerely hope the Speaker of the House will take the time to properly consider it, and that the government will do the appropriate thing and find other matters to deal with than what it has suggested today. I table these concerns with great concern and the fear that this is just another example of the incompetence of the government House leader and his failure to really work with the House.

The Speaker: Does the government House leader wish to contribute to the point of order?

Hon Mr Cooke: Not really, Mr Speaker, other than to say that the point of order that has been raised is one we anticipated might be raised, and we understand that the point is correct. All I would ask is whether we could have just a 10-minute recess while the three House leaders get together to look at what we'll deal with for the next couple of hours.

The Speaker: In fact, I listened very closely to the member for Bruce, and indeed I do believe he is correct. Having been taken by this matter very quickly, I was going to ask for a couple of minutes so I could confer with the table and try to determine whether my instinct on this is accurate. Indeed, I hear a request from the government House leader for 10 minutes for the three House leaders to meet, and that perhaps would serve all of us well. It would give me an opportunity to review this. As I say, I do believe the House leader for the opposition is correct, but of course I want to be absolutely sure before making a final determination.

Mr Elston: Briefly, Mr Speaker, I think what you probably also heard from the government House leader was that he agreed with myself and the member for Markham that in fact it cannot be called, so I think that really puts an end to the issue. But what we really need is some time now, if we're in agreement, to search out what business might be available for us. That's all.

The Speaker: I do appreciate any member believing that a particular point of order is in order. The Speaker has an independent role to fulfil. This house stands in recess for 10 minutes.

The House recessed at 1525 and resumed at 1535.

The Speaker: To the member for Bruce, indeed he is right. I must refer members to standing order 77(c), "When a bill that is reported from a standing or select committee is referred to the committee of the whole House, it shall not be taken up earlier than the second

calendar day after the referral." The referral was yesterday. This is day one. Day two would be tomorrow. Thus, it cannot be raised earlier than day two. The exception to that is two possibilities:

(1) In the special resolution of the House which was passed earlier, it would have been contained in that special referral. Had that been done, that would have superseded the standing order.

(2) As always, unanimous consent can override any particular standing order.

Thus, it is not possible, unless by unanimous consent, to call forward Bill 40. The earliest it can be dealt with would be tomorrow.

GAMING SERVICES ACT, 1992

LOI DE 1992

SUR LES SERVICES RELATIFS AU JEU

Ms Churley moved second reading of Bill 26, An Act to provide for the Regulation of Gaming Services / Loi prévoyant la réglementation des services relatifs au jeu.

The Speaker (Hon David Warner): Does the minister have any opening comments?

Hon Marilyn Churley (Minister of Consumer and Commercial Relations): Yes, Mr Speaker, I do.

On May 27 I introduced for first reading the new Gaming Services Act. It is now my pleasure to move second reading for the bill.

As I informed members of the House back in May, the number of organizations participating in charitable gaming and the frequency of events has increased dramatically in recent years. A commercial sector providing bingo halls, callers, dealers and other services has grown to the point where Ontario has the largest commercial gaming sector in North America.

Until now, these operations and their employees have been unregulated. This unregulated sector means that worthwhile charities are increasingly losing control over the conduct and management of their gaming events. Despite the growth in charitable gaming, many charities are seeing a substantial decline in their proceeds.

A moratorium was placed on the licensing of bingos in new commercial facilities in 1989. This measure was taken to stabilize charitable profits and attendance levels, which were being affected by increased competition between charitable groups and saturated gaming markets.

In the spring of 1990, the Minister of Consumer and Commercial Relations produced a discussion document of charitable gaming. This document was widely circulated to solicit a range of opinions on future directions. All sectors of the charitable gaming community responded. The comments received have been, where possible, incorporated into this new legislation.

The new Gaming Services Act will provide a framework to regulate the public gaming sector. This will give charitable and religious organizations greater control over the conduct and management of gaming events. It will also ensure honesty and integrity in Ontario's gaming marketplace.

1540

The framework we are proposing will be used as the basis for talks between the government and the first nations related to control, regulation and administration of gaming activities on reserves.

We support the right of first nations to self-government within the country's constitutional framework. We also recognize the need of first nations' people to have the right and the opportunity to raise funds through gaming to support development of facilities and services to benefit native communities. At the same time, we also recognize that there is a viable, charitable gaming marketplace that must be considered in the course of negotiations with the first nations. Consideration of the local, non-native gaming sector will be a factor to be addressed and considered during the talks.

There is only one gaming marketplace in Ontario. Gaming activities must operate in a way that is fair to all participants. A level playing field is vital to a healthy gaming market.

We will be negotiating to reach an agreement through which Ontario removes itself from the regulation of gaming on reserves. Each first nation with which an agreement is signed will assume responsibility for regulation, control and administration of all gaming activities on its reserve. The negotiated agreements will outline the responsibilities of the first nations in establishing processes and procedures for regulating and controlling gaming, as well as other responsibilities in terms of assisting the first nations where desired.

Prior to the first reading of this bill, I signed, on behalf of the government, an agreement to negotiate with a first nation in northwestern Ontario, the Rat Portage band. I'm pleased to say that talks with the band are under way now.

Besides the Gaming Services Act, three other initiatives are being taken to change the regulatory framework governing charitable gaming here in Ontario. First of all, a new order in council is being developed to clarify roles with respect to licensing. As a result, local governments will emerge with even greater authority to issue licences. I believe it is in the best interests of the community for charitable gaming licences to be issued at the local level. Giving municipalities more authority makes sense when you consider that they issue 90% of the charitable gaming licences throughout Ontario now.

Second, the current set of terms and conditions a charity must follow once a licence is issued is outdated. It will be revised to reflect the realities of today's gaming marketplace and to incorporate the changes proposed by the new act.

The third initiative is the design of a new lottery licensing policy manual. This guide will help municipal lottery licensing officers administer the charitable gaming program in a consistent manner province-wide.

I would like to emphasize once again that the new Gaming Services Act is not related at all to the issue of casino gambling. Plans for a regulatory framework for the charitable gaming marketplace have been under development for a very, very long time.

I urge members of this House to support second reading so that necessary controls on the industry can be implemented as soon as possible. These controls will help charitable, religious and native communities achieve their very worthwhile goals.

The Acting Speaker (Mr Noble Villeneuve): Thank you. Questions and/or comments.

Mr Murray J. Elston (Bruce): It's always interesting to see the delivery of a second reading debate. But I must say that with regard to this debate on the Gaming Services Act, I was kind of expecting a little bit more detail on the actual content of the bill from the member.

I know she spent a lot of time on the negotiations which are about to take place or which will have to take place as a result of the new regime put in place by this act, but as we have all seen, the degree of security of the citizens of the province of Ontario is somewhat destabilized when they think that the legislation to be dealt with only means more talks and really doesn't settle any of the questions which are going to amount to very big issues in the locales, some of which were mentioned by the minister.

I would like to hear from the minister, when she replies to my brief intervention here, just how long she expects all of these negotiations to take and exactly what the ramifications are going to be for the interesting new steps to be taken under what I hope will be the constitutional amendments to be voted on on October 26, because it seems to me the regime of negotiations with native peoples in Canada will change after October 26 if we have a positive vote on referendum day.

I am interested in that because it seems to me that, while there has been very serious negotiation with our native population over several years, in fact a lot of it was initiated, if I might say so, by the former Attorney General, Ian Scott, who has just recently stood down from this place, as you recall. It seems like a new day will come about in terms of negotiations, almost a new sense of how negotiations should be carried on will fall from the positive acceptance of the October 26 question, and I want to hear the minister speak more clearly about that.

The Acting Speaker: Further questions and/or comments?

Mr David Tilson (Dufferin-Peel): I must say it is a rather strange time to proceed with the second reading of this bill with the uncertainty, as the member for Bruce has indicated, concerning the negotiations of our aboriginal peoples, particularly when we are now less than a week away from a referendum and this subject could have an effect, if anything, on the proceeding of the referendum.

Most of the people in this House are taking the affirmative position in supporting the Charlottetown accord, but you now, through your own admission and your statements and your press releases, are talking about how you will be starting to negotiate to reach agreements throughout our various aboriginal peoples, because this bill will certainly not apply to reserves. In other words, we're going to have one set of laws in this province for gaming services within the reserves and one set outside the reserves. That may or may not be a good thing. I think the difficulty

is that probably you're premature in proceeding with this bill at this time when you haven't determined those issues. You haven't determined what your agreements are going to be. You haven't determined what self-government is going to be. You haven't determined what the effect of not having the Gaming Services Act within the aboriginal reserves is going to be.

So I find it rather strange that you're proceeding at this particular time with the bill, particularly with some of the uncertainty that has been arising concerning the negotiations with our aboriginal people, particularly for the first nations. I, too, hope that the minister will comment specifically on the fact that the regulations of the Gaming Services Act will not apply to Indian reserves. I think it's a most important issue that should be dealt with now, before this bill proceeds further.

The Acting Speaker: Further questions and/or comments?

Mrs Elinor Caplan (Oriole): As we begin this debate on Bill 26, An Act to provide for the Regulation of Gaming Services, I think one question that the minister should be prepared to answer at the outset is whether or not this act will require amendment as a result of the Charlottetown accord, what would happen to this act if that accord is ratified by all of the provinces and the federal government and what, if anything, would happen to this legislation, as far as required amendment, should that accord not be ratified.

The other question I ask the minister, in conjunction with this, is: Does she anticipate, at this point in time, substantive amendment to any part of the legislation as a result of any of the comments that she has heard in the initial response to the tabling of this legislation for first reading? Some time has passed since the government first announced that it was going to be moving forward with the establishment of casinos.

I know that this act empowers the government, as it said, to establish one in the vicinity of Windsor. But I would like to know, because a number of people have asked me: Would this act require amendment prior to the establishment of additional casinos in other parts of the province or does this act empower the government to move forward unilaterally or by regulation to establish more than just the one which the minister has announced?

There are a number of questions which I think should be clarified through the course of this debate and discussion. My constituents in the riding of Oriole are mixed in their views as to what the impact would be and they'd like to see some impact studies and analysis as a result of the work of the minister. I look forward to that debate.

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The Acting Speaker: We can accommodate one further participant in questions and/or comments. Seeing none, would the honourable Minister of Consumer and Commercial Relations proceed with a two-minute response.

Hon Ms Churley: First of all, in terms of the negotiations with natives—I should have clarified this in my statement—the courts have already determined that any native gaming comes under the jurisdictions of provinces. Be-

yond that, our government, as you know, signed the Statement of Political Relationship last year and we had decided at that time that we would also work with the first nations people on this issue before the Charlottetown deal was made.

So we do have the jurisdiction already as a result of the historic document we signed, the Statement of Political Relationship, last year, so that is not a problem. We can proceed as when we first came out with this bill. We do know that if the accord passes it may have universal impact on us, but that's hard to say. But we feel confident that we can go ahead with this because we already have the jurisdiction to do so.

Another question that was asked was: Is this connected in any way with casinos? It is not in any way connected with casinos. It is to deal precisely with regulating the commercial charitable gaming sector. What is happening right now is that it's totally unregulated. Most of the charities out there are very pleased to see this because there is skimming of profits. There are real problems out there and the sector, since it's growing so huge, really has to be regulated.

It will not, as far as we understand, require any amendments. I know that there were some questions asked from both sides of the House, but the kinds of questions that were asked are separate from this actual document, this actual bill, and we'd be going ahead anyway with the orders in council. I can address that a little later.

The Acting Speaker: Further debate on Bill 26, An Act to provide for the Regulation of Gaming Services. The honourable member for Dufferin-Peel.

Mr Tilson: The gaming services bill—

Mr Elston: Mr Speaker, on a point of order.

The Acting Speaker: On a point of order, the honourable member for Bruce.

Mr Elston: I was distracted for a moment, but I meant to stand in my place and indicate that since we have had to create certain combinations for the carrying on of business today, we are allowing the honourable member for Dufferin-Peel to start with his opening remarks. The fact that we have not joined the debate is only an indication that our critic is not here and that we wish to reserve the full, opening leadoff speech for our critic when he is able to be with us. I think that arrangement is agreeable unanimously with all of the members here in the House, but I wanted that to be brought to the fore at this moment.

The Acting Speaker: Do we have unanimous consent for the request from the member for Bruce. Agreed? Agreed. We have unanimous consent. The honourable member for Dufferin-Peel can proceed.

Mr Tilson: I rise as the critic for the Progressive Conservative Party to speak on Bill 26, An Act to provide for the Regulation of Gaming Services. This bill received first reading on May 27 of this year and I think we should add to some of the comments that were made by the minister with respect to what this bill is doing, because it has created a certain amount of confusion and concern among the charities and also the bingo parlour operators in this province.

I think the minister is going to have to spend a considerable amount of time on perhaps making amendments to her bill or persuading us, at least on this side, that the way she is treating those people isn't the dastardly way that it appears to be coming forward. The concern is widespread and has increased, if anything, over the summer since this bill was first introduced.

As you may or may not know, the Criminal Code of Canada permits provinces to license specified lottery schemes. Under a licence, charitable or religious organizations may operate such activities as bingos, Monte Carlo nights and those types of activities. The licence-issuing authority may be a municipality or the entertainment standards branch of the Ministry of Consumer and Commercial Relations.

As the number of charitable organizations in our own community relying on these types of activities, bingo and other related events, has increased over the past several years, so has the size of the commercial sector that has gotten into this field to facilitate these events. In other words, there has been a form of partnership with respect to bingo parlours and charitable organizations in running these events. So, to date, this sector has been largely unregulated.

This bill, as has been indicated by the minister, provides a regulatory framework for the commercial sector. The operators and their employees will now require provincial scrutiny and registration to provide support services under Bill 26. Charitable and religious organizations, however, will still require a licence to hold a gaming permit.

The provisions of this bill, if I could briefly summarize it so that we will know where we're headed in this debate, consist of nine points, which I would like to refer to briefly for purposes of proceeding this afternoon.

First of all, a director and a registrar of gaming services are appointed under this bill.

Second, persons who provide premises, materials, equipment or the services of a gaming assistant must be registered as suppliers.

Third, bingo callers, wheel operators and others paid for participating in a game of chance must be registered as gaming assistants.

Fourth, registration as a supplier or gaming assistant may be refused, revoked or suspended by the registrar, subject to appeal by the Commercial Registration Appeal Tribunal.

Fifth, power is given to investigate contraventions of the act, including the right to apply for a search warrant. That's a topic that seems to be creeping up more and more in the legislation that is coming forward by this government: the expanding power of the search warrant.

Sixth, the director may, for the preservation of the public, freeze the assets of a supplier or other person to ensure their safekeeping. Appeal procedures are provided.

Seventh, specific rules of conduct are provided for suppliers and gaming assistants, including recordkeeping and accounting requirements. The director may make an order requiring compliance with the act. Appeal procedures are provided.

Finally, there's a provision in the bill which deals with contraventions of the act being punishable by fine or imprisonment.

The minister has made some preliminary comments, in her opening remarks to this House, dealing with the fact that she states that this bill does not concern the operation of bingo parlours in this province. There's no question that this bill is intended, generally speaking, to deal with the commercial gaming sector. It appears, from what the minister has said both in this House and outside this House, that it's not going to deal with the establishment of government-operated casinos in the province of Ontario.

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However, what she isn't saying, which I would submit to her—and she knows this—is that it may be possible to interpret the legislation in such a way that would allow for the creation of casinos operated by charitable organizations. For that fact alone—because that's what this bill is all about; the regulation of charitable organizations, religious organizations, that are operating games of chance, those types of things—it seems to me that we must be very careful about this minister. We must be very careful in monitoring what she is doing.

She has stood in her place in this House and talked of how she is going to have a gambling casino somewhere in the city of Windsor or somewhere in the Windsor area; she isn't too sure. She's also made it quite clear in her press conference that she doesn't know the type of gambling casino that she's going to operate. Is it going to be operated by the government? Is it going to be operated by a private enterprise corporation? Is it going to be operated by a partnership of both, or is it going to be operated by a charitable organization?

That is indeed a great possibility, that this is exactly what her intent is going to be, in partnership with this government. I don't believe that she will assign the whole project to a charitable organization, to run the Windsor experiment, the Windsor test plan. I believe that she will do it as part of her NDP government, that they will be a partner in this experiment and that the gambling casinos will become a reality in the province of Ontario through this bill, because there's been no indication from this minister or anyone on that side of the House that the Windsor experiment isn't going to occur through a bill.

I made a statement in this House last week on this subject, and it still stands, which expresses my concern that in fact Bill 26 is the tool that is going to be used for the implementation of gambling casinos in the province of Ontario, and specifically with this Windsor experiment.

Mr Speaker, I think we should spend some time on gambling casinos, and I will tell you that I intend to spend some time on that and the effects of gambling casinos, because this minister doesn't want to talk about it. She doesn't want to talk about how she's going to do it. She doesn't want to talk about the cost to the municipality. She doesn't want to talk about the addiction problems of gambling and what she's going to do about that. She doesn't want to talk about how her party has been opposed to this type of thing over the years and how she personally has been opposed to this type of venture over the years, particularly

in her position as a municipal councillor. So I think this is a time when we should spend a few moments reflecting on where I believe this minister is going, and that she knows exactly where she's going on gambling casinos and it's through the Gaming Services Act.

This piece of legislation, Bill 26, follows on a discussion paper which was first put forward by the Liberal government in February 1990, and much of what is proposed was contained in that document. It will be interesting to hear the Liberal critic's comments as to how this bill has varied from the original Liberal initiative, because it is an area that needs to be regulated.

I think the problems that have occurred specifically with the charities, and the concerns of the charities and of many of the people in the province of Ontario that this is possibly an underhanded way or a back-door way of bringing gambling—well, she's shaking her head but I can tell you clearly, if you haven't read your bill: Your own regulations that you will be able to put forward under this bill will enable you to put forward gambling casinos that will be operated by charitable organizations. That's exactly what your bill is going to be doing; it's going to be regulating the operation of gambling casinos.

This bill will enable gambling casinos to be introduced in this province in all aspects except slot machines. Slot machines won't be under this bill, you couldn't put forward slot machines, but all other aspects of casino gambling you could put forward. The slot machine is the one exception.

She's been very vague on what she intends to do. I would hope we would have some hearings on this subject so that we can hear more about specifically what she proposes to do. Either that or perhaps she will be putting a bill forward on gambling casinos so that we can debate this matter in a proper manner in this House and listen to the people around this province for and against as to the appropriateness of gambling casinos at this time.

That has not been provided to the people of this province. It's simply been announced that we're going to have a gambling casino in the city of Windsor, without any impact studies being revealed as to how it's going to affect jobs, the economy, crime and other matters that are involved in this, other concerns that we have in this province.

As I indicated, the native issue is a subject that concerns us on this side, that you're going to have one area where there can be gaming services, or the subject of gaming, which would be within the reserves, being unregulated by the province of Ontario. She's actually negotiating that.

In other words, the subject of self-government is coming forward. We don't know what that means. Here I'm finding myself talking about the Charlottetown accord, which puts us all in a very difficult position at this specific time, but since she has raised it, I think she's going to have to spend some time on that.

The fact of the matter is that she's admitted today and in her press releases that she's in the process of negotiating agreements as to what is going to be and what is not going to be as far as gaming services on reserves are concerned. Either they're controlled and regulated by the province of Ontario or they're not, and if they're not regulated by the province of Ontario, if that is outside—as you have indi-

cated you have agreed to—if that whole subject is outside the laws of Ontario, then we've got some problems. We've got some problems that in one particular area of my province we'll have one set of rules and in another area we'll have another set of rules, for two different situations—hardly a fair procedure concerning what you're trying to regulate.

I believe there's no question that the reservations will do everything they can to proceed with their own gambling casinos. Why shouldn't they? It's a profitable venture. Again, we need more input perhaps from the minister and from the Minister of Natural Resources, who has jurisdiction in this area.

The whole subject of downloading is a subject I hope the minister will spend some time on in her reply. Again, much of this will be dealt with by the municipalities. There will be regulations that will put more duties on to the municipalities to regulate gaming services, again, more of an expense.

As I say, it is a continuation of a Liberal policy, all of which we on the Progressive Conservative side and you on the NDP side stood up during the election campaign two years ago, talked about how downloading was affecting the property taxpayer of this province. But in almost every bill that comes forward to this House, there's some rippling-down effect to the municipalities, and the municipalities are only going to get the revenue from one source. That's from the property taxpayer. The grants aren't forthcoming. We have 1%, 2% and 2%. We have a 1% transfer. So where are they going to get the money? It's just an added expense, another administrator, another bureaucracy that's being created with no adequate financial assistance from the province of Ontario.

The whole subject of downloading needs to be discussed and, I believe, the topic of increasing the ability to adjust licensing fees. The minister can correct me on that when she gets up for her response, but I don't believe that the municipalities have that ability. They don't have the ability to adjust their licensing fees. With more added responsibilities being put on to the municipalities, they're going to have to find revenue from other sources. They're not finding it from the province. They will find it from the property taxpayer and hence our property taxes will go up.

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There are some subjects which talk about the registration of the suppliers, the charities, the individuals who are running gambling casinos, and there's a specific clause that I will be spending some time on in my remarks that talks about honesty, integrity and working in the public interest. There's a suggestion that all of these operators are a criminal element, that they're all evil. The wording is quite offensive to many of these operators. It's quite offensive to the charities and the religious organizations—very offensive wording. I would hope that when we go to committee that subject will be dealt with at some length.

There are a number of groups that wish to address this Legislature in committee or otherwise and have already made presentations, I'm sure, to the minister. They have made presentations to me expressing their concerns with this bill and I'm sure they've made presentations to the

member for Lawrence, Mr Cordiano, who I believe is the Liberal critic.

One such response was presented to me which I'm sure the minister has read. It's a presentation that came from the Ontario Bingo Hall Owners' Association and it's dated March 1992. It is quite an extensive report and I'd recommend to members of the House that before you vote on this bill you all read it. There are 20 pages, all of which are points that should be considered before we proceed with any further debate in this House.

Perhaps a more appropriate time will be in a committee and I'm sure the minister will consent to allowing us to go to a committee because there are certainly charities and religious organizations and operators of bingo halls that want to come. They're very concerned as to how their operations are being affected by this legislation.

I've spoken to the minister privately about this and she says everything's okay. If it's okay, she hasn't done her job because many of these charities—

Interjection.

Mr Tilson: I'm telling you, that's exactly what's happened. The charities, the sports organizations, the religious organizations, they've all contacted me and I can't believe that they haven't contacted the Minister of Consumer and Commercial Relations, and they're still concerned. We're still getting letters of concern. I believe these individuals will want to come to a committee and express their concerns; either that or the reading of this bill can be delayed so that the minister will have an opportunity to communicate with all these organizations and say they're either wrong or they're right. I believe many of their concerns are valid and I certainly will be looking forward to hearing from them when we proceed to the public hearing stage.

I'm going to take us through this report because it does summarize a lot of the concerns that are put forward around the province. The first policy principle that is put forward by the Ontario Bingo Hall Owners' Association is:

"Gaming is conducted for the benefit of charities. Gaming is permitted in Canada to benefit charities, which depend on this source of fund-raising to provide important service to their communities. It is the privilege of gaming service operators to be allowed to work with charities in their fund-raising activities."

That's a very important principle, considering that in many aspects of our society we rely on the charities, we rely on the religious organizations and the sports organizations that raise funds to provide services that government can't provide. It may be simply donations to a Boy Scout movement. It may be the providing of sweaters to a hockey team. It may be the putting up of a recreation hall in a community. We all know what all of those activities are and we all laud, congratulate, work with and encourage charities, sports organizations and religious organizations and the great work they do in this province.

I don't believe this bill has been sensitive enough to their concerns. The minister is shaking her head, but she can't be reading the letters and the correspondence, and delegations that have come to my office expressing their concern over this bill. If they're wrong, then let the minis-

ter stand in her place at the appropriate time and explain why they are wrong, because the concerns that have been raised to me seem quite legitimate and should be at least listened to.

That's probably one of the big problems we've had with this bill. On this bill, like a number of other bills, there has been inadequate consultation to deal with many of the issues. There's no question that the regulation of the commercial gaming sector hasn't been adequately dealt with over the years, and I think we all acknowledge that. But there is a concern of the charities that I think the minister is going to have to address.

The second basic policy principle is—again I'm referring to the report of the Ontario Bingo Hall Owners' Association—that charitable gaming activity has expanded. They say, basically, that controlled growth of charitable gaming is to be encouraged. They elaborate on this point by stating:

"Charitable gaming activity has expanded in the past few years. We expect that gaming activity will, and should, grow over the coming years. This growth should be encouraged. We think every effort should be directed to building a regulatory scheme that encourages controlled growth of charitable gaming and the orderly development of the gaming services industry.

"3. Charitable gaming is part of the entertainment industry. We think charitable gaming should be viewed from the perspective of a regulated commercial activity that has the potential to substantially increase resources available to charitable organizations. We believe that charitable gaming and the gaming services industry that supports it should be regarded as part of the entertainment industry. The day has long passed when lotteries, bingos and other gaming amusements can be viewed as some kind of 'immoral' activity."

That's an important statement because, when you look at some of the sections in this bill—and I'll be referring to those—there is a suggestion of some sort of criminal activity, some sort of immoral activity. There's even a provision that has to do with fingerprinting; it's being suggested that individuals should be fingerprinted before they receive their licence.

Before we proceed with that line of development, this type of activity is considered as an entertainment industry. Do we really believe that when we go into a local service club, a local sports club hall that is organizing a Monte Carlo night, that we're going into a gambling casino?

Interjection: Yes.

Mr Tilson: Well, I don't think we do. The answer to the question was yes, but I don't think we do. I think we look at it as a way of assisting this organization to raise funds for the great work they do.

The fourth basic principle put forward by this organization is: "Regulators must assume that gaming service partners are good citizens. We believe that a regulatory regime must start with the premise that it will aid and encourage the activities of a vast number of the industry partners who conduct their activities legally and ethically. We strongly believe that a system that is based on the idea

of controlling a very small number of rule breakers will have a disastrous effect on Ontario charities."

It's the sensitivity of this bill that we need to concern ourselves with. It's almost as if the people who are running the games—the charities, the churches, the sports groups—are doing something wrong. When you start suggesting that there may have to be fingerprinting—normally you don't have to be fingerprinted unless you have been charged with a criminal offence. Yet under the regulations that may arise—very strong wording for this bill.

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The report goes on:

"There are key groups that work in partnership within the charitable gaming services industry. A regulatory scheme will recognize each of the partner groups and reflect their appropriate functioning in the system. Regulations will also be concerned that relationships with each and with all of the partner groups are enhanced."

The report then goes on to talk about charities, gaming suppliers, commercial hall operators, municipalities and the players. There are five topics, and I'd like briefly to summarize what the report says about that.

The report points out that there are at least 25,000 registered charities in the province of Ontario, and these numbers are growing continuously. Whether they be charities, whether they be sports groups, they are growing continuously. "As well," the report goes on, "there are a huge number of community groups and associations which are eligible to fund-raise through charitable gaming activities. The Minister of Consumer and Commercial Relations has estimated that there may be as many as 50,000 charitable organizations in the province." So only half are registered.

"The various forms of lotteries, casinos, break-open tickets and bingos that are licensed in Ontario probably provide revenues to charities in excess of \$300 million a year."

When it comes to these types of activities, on the one hand, we have regulation through Bill 126 of these very groups that are trying to raise money for various activities in our society, and on the other hand, they put forward a gambling casino, specifically one in Windsor, and suggestions that there will be at least a minimum of five others throughout this province in a very short period of time. We don't know how or where or how they're going to do it or whatever, but the statements have been made quite clearly that these are going to come forward.

With these figures and the amount of revenue these charities make for our society, what will be the effect of government-run casinos, with perhaps charitable organizations as silent partners or minority shareholders, on their revenue? How will the gambling casino—whether it be Windsor, if you take the Windsor area—affect the charities in those areas?

There doesn't appear to be any impact study that has been completed by the NDP government that explains it. If there is, they haven't produced it. They do come forward with this bill, which is going to very strongly regulate the industry.

The report proceeds by saying:

"The revenues to charities from gaming should be compared to the annual funds raised through donations in response to charity appeals and fund-raising drives. It's estimated that personal donor contributions in Ontario amounted to \$1.12 billion in 1990. The estimated share of Ontario's corporate giving to charity amounted to slightly more than \$55 million. Clearly, gaming accounts for a major share of Ontario charities' revenues."

That fact alone says we should be very cautious with this bill. This could be termed in political circles around this place: "Well, this is just a minor bill. This is a filler that we'll proceed with until we get our Bill 40 in line, until we see how we're going to proceed with Bill 40. We'll put this in as a filler. We'll just kill some time and get this bill out of the way."

But I say to you, Mr Speaker and other members of this House, that realizing the effect of this legislation on charities, sports groups, religious organizations, I hope we would treat it much more seriously than this minister appears to be treating it. I assume this may not be her; it may be her House leader. She probably does as he says and has proceeded today with this bill, not even knowing she was going to proceed with it today.

That's the point: It's the trivial, almost flippant attitude of this government towards this bill, not realizing or appreciating the effect it's going to have on charities, sports organizations and church groups in this province.

The report goes on by saying:

"The fund-raising picture for Ontario charities, especially during the current recession, is not promising. It is going to be more important than before to assist charities in development of gaming activity. Bingo is a particularly important source of revenue for charities, and future regulation must include careful consideration of how charities will benefit from expanding this market."

These are very sensitive observations. I emphasize that charities we rely on to assist in everything from Boy Scouts and Girl Guides to hockey teams, to art groups, to putting up community halls, to all kinds of necessities for our community, are having a tough time. They're having a tough time raising funds through their charities, through their fund-raising ventures. Whether it be Monte Carlo nights, whether it be bingos, they're having a difficult time. The facts reveal that.

Yet this bill, of course, is going to put severe restrictions on them and is scaring the heck out of them. They've got enough problems trying to meet their commitments for budgets. Many of these charities have community halls, buildings they've put up. They know they have to raise so much each year, and that's done through fund-raising ventures such as those this bill is going to regulate. They're very concerned. They're concerned with the recession. The people don't have the money available to give to charitable and sports groups as they have in the past. This bill, at this particular point in time, is going to make it even more difficult, because of those regulations.

The second partner in the charitable gaming services industry, as outlined in this report, is the gaming suppliers. The report goes on to state:

"The charitable gaming services industry in Ontario is well served by a number of gaming products suppliers. These enterprises have a record of working closely with provincial and municipal regulators to respond to concerns about security of product and accountability. The suppliers work closely with operators to meet their needs and to respond to market demands that emerge from the players themselves. The gaming products suppliers have an understanding about the charitable gaming market and about the ways that should be considered in an effort to improve profitability for charities."

I doubt whether this minister has consulted with these people. She certainly hasn't consulted with the charities, because they're all up in arms; they don't know what the heck this means. My guess is that the gaming suppliers, who also employ a substantial number of people in this province, have the same types of concerns.

The third partner is the commercial hall operators. The report states:

"There are approximately 270 facilities operating as bingo halls in Ontario, and about 170 are commercial halls. At least 75% of bingo licences are issued to charities which conduct their games in a commercial hall."

There's a certain relationship between the charities and the commercial hall operators. I understand the bill that's been put forward, originally by the Liberals and then by this government, is to regulate these people, because there are all kinds of concerns that have been coming out as to their operations. But they're not all evil. In other words, the onus isn't on them to prove that they're not immoral.

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"In medium-sized bingo halls," the report goes on, "15 charities may be served in a week." So these bingo halls obviously are run by a number of charities. "In a large hall, as many as 40 charities may be served weekly. There may be as many as eight sessions a day. Halls may operate seven days a week. The assignment of any session and day to a charity sponsor will have a significant impact on the profits that can be earned for a charity. The size and stature of a charity is a consideration in the assignment of session times."

So who gets these things? There have been suggestions made to me that if some of these licences are given out, there are holes in the system. I haven't seen the regulations, but I'm not so certain that those are going to be rectified. I hope that the minister or her parliamentary assistant, during the public hearings, will be in a position to relieve those concerns.

The report goes on: "Other kinds of charitable gaming are conducted within commercial halls, including sales of Nevada tickets. At this time, hall operators are not allowed a commission on the sale of Nevada tickets. However, hall operators could assist charities to improve their Nevada ticket fund-raising if allowed to act as commissioned sales agents for the charities." This is a submission, again, that is being made by the Ontario Bingo Hall Owners' Association. I believe it would be useful to hear from these people and others on these topics, because this is only one of many opinions.

"Commercial hall operators and managers usually have close working relationships with the charities that rent their facilities. Many hall operators have established charity or sponsor committees to deal with issues of concern to charities, such as the allocation of session times, sharing superjackpots and occasional concerns regarding municipal licensing."

Many of these people are not the fly-by-night operator that's being suggested. Many of them are reputable individuals, and they're all being treated under this legislation as almost being—it's suggested that they're wrong from the outset, that they're operating incorrectly.

The report goes on and talks about the fourth partner in the process. I have not heard of too many municipalities, certainly in my riding, that have had any input with respect to this bill. In fact, there has been some confusion and some concern. If I have time, I will refer to correspondence that I have received from municipalities in my riding, specifically in the county of Dufferin, expressing concern about this bill.

The report that I'm referring to states that: "Ontario municipalities are allowed to issue licences to charities to engage in charitable gaming activity. The licensing of charities is shared between municipalities and the province."

"The proposed regulatory scheme devolves much more responsibility to the municipal level."

Again I emphasize, remember that word "downloading." If this responsibility is being passed down to the municipality, it's going to require more bureaucracy; it's going to require more staff to administer these things. So either the province is going to have funding—and it's already indicated it isn't; it's only allowing 2% next year, 1% this year and 2% the following year, as far as transfer payments are concerned. There doesn't appear to be any statement that deals with the ability to adjust licensing fees, to increase the licensing fees to meet the administration of this bill that is being put on the municipality. If I'm correct in that assumption—and we really haven't had adequate time to debate that in the House, but it appears that is the case—then we would be putting forward an amendment to this bill at the public hearings to allow that to take place.

It is being suggested that the dollar limit for bingo prize boards that a municipality may license be increased. In general, the revenues from lottery licensing will be increased and a greater portion of the licence revenues will be collected by the municipalities. Again, remember that terrible word "downloading," the passing on of the administration to the municipalities.

"In relation to the proposals relating to bingo"—and again I'm referring to the report—"municipalities will be concerned about any significantly increased requirements for inspection and compliance monitoring that may fall to them." That's another area the municipalities will be responsible for and will be obliged to deal with under this bill, although the report does state that "increased revenues carry...additional burdens."

This submission by the Ontario Bingo Hall Owners' Association proceeds by saying that "a too-complex system could carry a very big enforcement responsibility. New rules and regulations should not be imposing new duties

that sources of licensing revenues will not cover." So again, municipalities, take note of this bill. Make sure you understand it and push the minister to clarify many of these areas.

The report proceeds by saying the proposal to extend the group identification number to applications for municipal licensing applications appears to be very useful—they do support that—and should provide significant assistance to municipal licensing officers. That is certainly one positive point this group believes in.

The report goes on, "The difficult and sometimes contentious decisions regarding eligibility as a charity (as required under the Criminal Code) can best be made by the Ministry of Consumer and Commercial Relations." In other words, as opposed to the municipalities which are already overburdened with degrees that come from this government and are then passed on to the municipalities.

The report concludes the section on the partnership of the municipalities by stating that: "Changes to the rules relating to bingo gaming should not result in any reduction of current levels of profitability to charities. Any reduction in local charities' revenues could result in increased demand for municipal resources or pressure on a municipality to provide services which charities can no longer provide, in the face of diminished bingo or other gaming revenues." That is a factor I would hope the minister, if she has any studies on this subject as to whether this bill will have any effect because of the increased regulations on charities—whether that will reduce their revenues. If it does reduce their revenues, many of these things that are performed by charities and sports groups and religious organizations are going to fall on the government. It won't be this provincial government; it'll be on the hands of the municipality, on the property taxpayer.

Municipalities take note and contact my office, contact the Liberal critic and of course contact the minister, more importantly, for a clarification on these matters. I hope that many of these matters will be dealt with during the public hearings.

The fifth partner, of course, is the players—the people who play these games. The report states that these people "regard bingo as an enjoyable, sometimes exciting and affordable form of entertainment." Again, many of these games are affordable. You're not going to go into a bingo hall or a Monte Carlo night that some local service club is putting on and go bankrupt and have to mortgage your house like you will in the Windsor gaming casinos. They shouldn't be treated in that same way, and I believe that's one of the things this bill is doing. "Like other entertainment consumers, they have their preferences and unique qualities. Like customers in any market segment, our players share certain common characteristics and respond to a variety of factors that operate in the marketplace."

The report goes on by stating: "Charities, hall operators and suppliers have experience in dealing with this industry's customer—the bingo player. We all share the same desire to satisfy the customer, and are interested in all the tools and techniques other industries and businesses use to keep the customer happy."

"Bingo players do not regard themselves as gamblers." They don't, Mr Speaker.

1640

This bill gives the innuendo that it's going to be like the casino gambling. I mean, it is ironic. Here we are debating a bill which is being compared to, in many ways—in which the operators and the players and everyone involved are being treated like the gambling casino. Yet there's no bill. There's no bill for the Windsor experiment. There's no bill forthcoming.

If it is, let's put it forward, so that the people involved in this province, the many people who have expressed concerns—the horse racing industry, the churches, the addiction people and others who have expressed concerns—can voice their views and assist the government in getting out of this project, because I don't think they're ready to do anything. There have been no impact studies on anything. At least if there are, the minister hasn't produced them.

The report states that players of bingo "do not regard themselves as gamblers—any more than the average Ontarian who buys a weekly Lottario or Wintario ticket thinks himself a gambler."

Mr Ted Arnott (Wellington): Point of order, Mr Speaker: I don't believe a quorum is present.

The Acting Speaker: Could I ask the clerk, please, to check if there is a quorum present.

Clerk Assistant and Clerk of Journals (Mr Alex D. McFedries): A quorum is not present, Speaker.

The Speaker ordered the bells rung.

The Acting Speaker: A quorum is now present. The honourable member for Dufferin-Peel had the floor. He can now resume.

Mr Tilson: I have been referring to some extent to the Ontario Bingo Hall Owners' Association response to this bill, which was produced in March 1992. Again, I would recommend that if members do not have this report, they all get it and read it before they proceed any further with this bill, because I think it expresses a lot of the concerns that have been occurring around this province.

Dealing again with the subject of the players, the people who play these various games, "Bingo playing rarely attracts addictive personalities." Can you imagine walking into a service club where they're playing the Monte Carlo type of game, the people who support the service clubs around this province, the people who support the bingo halls around this province, and saying they have an addictive personality to gambling?

Yet there's nothing that's being done with respect to the gambling casino, the gambling casino that the minister has guaranteed—and, I'm sure, much against her own personal wishes; I know much against her own personal wishes. She has to do what she's being told if she wants to remain Minister of Consumer and Commercial Relations. She has to follow that.

But if you observe what she has said in the past, specifically in her performance as a municipal councillor and her own philosophy as a member of the New Democratic Party, I can't believe that she supports gambling casinos in

this province. Yet she stands up and says: "We're going to have all kinds of gambling casinos. It's going to raise all kinds of money. We're going to have fun, and we're going to have an experiment of some sort done in Windsor." That's what she says.

She won't provide any bill on that. She won't provide any bill on that subject as to how she's going to deal with the impact of all the other items I've raised in this House. She has no idea.

Mr Allan K. McLean (Simcoe East): She doesn't know.

Mr Tilson: She has no idea. The member for Simcoe East is quite right. She has no idea. I would submit that in this bill, she's treating all these people as gambling addicts.

The report, in that section, concludes by saying:

"The regular bingo player would have a hard time in losing any large sums of money.

"Hall operators keep close track of the average 'spend' in their halls. This evidence makes it clear that people who prefer bingo as entertainment do it at no greater cost than people who are entertained by going to the movies.

"The charitable gaming service industry will continue to remember that players are the customers, and the charities we serve depend on a satisfied customer."

I guess we certainly have to observe the comments that were made in this report. We can't ignore it and I would recommend again that we all proceed to review that report in more detail.

I'm glad that this bill was raised today, although it has taken us all by surprise. I'm concerned again at the triviality of it. It's a filler before we start getting on to the most important piece of legislation this province has ever seen, Bill 40. It's being treated as a filler and I think that is regrettable.

I have written the minister a letter that expressed some concerns from constituents in my riding and from people around this province. It was a letter that was written last September 14, and I asked for a further response on September 30. I'm going to read this letter to the House, the letter that I wrote the minister on September 14. Maybe when she gets an opportunity, she won't write me a letter responding to the letter in person, but maybe she'll stand in this House and deal with some of the issues that are being raised. It's an excellent opportunity. She'll save the postage. All she's got to do is rise in her place and answer the letter. I'll be looking forward to when she responds to deal with that letter.

I know she's busy, but she's not too busy to put this bill forward. This letter was written in anticipation of this bill, to better inform me, as the critic, but she's been silent on it. So I'm going to read this letter for the purposes of all of us to deal with it in this House.

In this letter I've raised three questions. It's addressed to the Minister of Consumer and Commercial Relations, and as I indicated, was dated September 14:

"I'm writing to you regarding the government's new legislation governing the licensing of specified lottery schemes under Bill 26, An Act to provide for the Regulation of Gaming Services.

"There appears to be a great deal of confusion among municipalities, charitable organizations and sports organizations as to what the procedure is now for obtaining a licence for fund-raising purposes. Now that we are into the fall, a number of these organizations will be wanting to hold their annual fund-raising events, and they are at a loss as to which rules now do or do not apply.

"My understanding is as follows:

"1. Bill 26 provides a regulatory framework for the commercial sector. Operators and their employees will now require provincial scrutiny and registration to provide support services. Charitable and religious organizations, however, will still require a licence to hold a gaming event. Under a licence, charitable or religious organizations may operate such activities as bingos and Monte Carlo nights."

I'm anticipating that the minister is going to stand in her place and say, "You're all wrong; it doesn't affect these people." I know she's just dying to stand up and say that, but that isn't what the charities are saying and that isn't what the bill is saying. So I'll save you the time from that.

The second point in my letter is policy manual or terms and conditions.

Mr Elston: This must be a lonesome man, answering his own correspondence.

Mr Tilson: It is lonely when I write a letter to the minister and she won't answer me and I have to read it to her in this House to get a response. The question is, will I yet get an answer? Madam Minister, you're going to have to listen to me read this letter to you, because for some unearthly reason, you won't respond to the letter.

Well, you shake your hands. Who knows? I'm going to read it to you so you've got some time to think about it.

The second point I raised of my understanding of this bill has to do with the policy manual or terms and conditions:

"This is a licensing guide for municipal offices and ministry offices. There apparently was a second draft of the consultation paper sent to all municipalities and interest groups for their comments. They were to have been returned by September 1."

Here we are, of course, in second reading, and we ask for some more consultation to be returned by September 1. I suspect they haven't even read these things.

1650

Third, order in council: "A new order in council is to be issued which will change the current authorities for licensing lotteries and gambling events. For example, municipal councils currently issue licences for bingos under \$3,500. This is to be changed to \$5,500, thus leaving the minister responsible for the commercial sector."

I've said that and of course she has said that and we understand that. However, I'm going to read my questions to you, Minister, because you probably haven't read the letter, or maybe you have read the letter and you don't know the answers.

Mr Elston: She didn't receive the letter, she didn't read the letter and she didn't answer the letter.

Mr Tilson: I should get the member for Bruce on record, but I won't do that; he can say that in his response.

My questions are very serious questions, Madam Minister. I know you don't want to answer them, but I'd like you to listen to them at least.

"Firstly, what requirements are placed on both the municipality and the charitable and religious organizations in applying for a licence?" That's a simple question; why can't you answer that?

"What about Nevada tickets? Who can apply for and sell them?" That's another simple question. Why can't you answer that? What am I to tell my constituents? I'm sure that all members in this House are getting similar types of questions from the people who operate these things around this province. They're all in a grand state of confusion.

I also asked the question: "What about sports lotteries? Can any charitable or sports associations run one of these now under this bill? As this bill has not received royal assent, are the requirements for licensing in effect now or will they take place at that time?" What are your staff telling these people, because we're getting some letters that are almost treating this bill as if it's the law of the land?

So that's the first question; I agree there are a series of questions there, but they all deal with the same concern that come from the municipality, charities and religious organizations.

The second question is, "What is the result of the consultation on the second draft?" Are you going to tell us that? You've asked for consultations. You, of all the ministers, talk about all your wonderful consultations that you perform in this province and, of course, you haven't done anything with casino gambling. Even your own members of your own caucus are lining up and you'd better not turn your back on them because they're very concerned about where you're going with casino gambling in this province. And you can put it in this bill. Don't say you can't, because you can. They can be connected to charitable organizations and you know you can through the regulations.

I believe that before we proceed with any further debate in this House and in committee we must have the result of the consultation, the second draft. Will you be introducing these amendments as a bill in the Legislature or will they merely be regulations to Bill 26? You put out Bill 26. You asked for some more consultations. Are you going to say: "Well, thanks very much for your letters, but we've got the bill rolling. We're now into second reading. I'm not too sure about amendments. I don't know what we're going to do"?

"I don't know what we're going to do" is probably her main statement. She's walking around her office saying, "I don't know what we're going to do," and she doesn't know what she's going to do.

But, Madam Minister, if you're going to ask for consultation, we on this side of the House at least—I'm sure there is a substantial number of members in your own caucus—would like to hear the results of the consultation of the second draft.

If you are going to be putting forward amendments to Bill 26 as a result of the consultations that you have asked for, when can we expect them to be introduced? It's astounding that we're now proceeding to second reading, a

second reading which has been sort of thrown at us at the final hour, and either the government has some amendments or it doesn't. They've asked for consultations and they've asked for viewpoints as to this bill or a second draft; they've asked for that. If there are amendments, when are we going to see them?

The minister made no remarks in her introductory remarks, and I as a member of the opposition and I believe members of your own government would like to know what those amendments are, because it may well be that some of these amendments will relieve many of the concerns that we're going through. This is a very busy place, Madam Minister; you can't treat it as very trivial. If you have some amendments that are going to solve some of these issues we and other people around the province have been raising, the appropriate time would be to raise them now. But maybe you don't know them, maybe you haven't seen them, maybe you haven't seen the consultations.

I also ask, Madam Minister, will we as legislators get an opportunity to debate these proposals? I have a number of concerns regarding them. I've been expressing that. It would be useful to me when we're debating a bill that we see what the wording of the bill is. How can we possibly debate something if we don't know what it's going to say? If there are amendments coming out and they're already in your back pocket, produce them so that we can have a look at them because I, as I'm sure all of us in this House do, have a number of concerns regarding them.

Finally, I ask, "What guidelines are the municipalities and organizations to use in the meantime?" There's absolute confusion out there in this whole subject around this province since this bill was introduced in May. The municipalities don't know what to do. Are we following the old rules or are we following the new rules? I have municipalities call me and say they have been told by the ministry officials, "Oh well, it's going to be Bill 26, the regulations under Bill 26." It hasn't even passed, we haven't even had second reading on it, and for all we know, there are more amendments that are going to come forward which we have yet to debate.

The third question that I ask in my letter is, "Again, when can we expect this order in council to be introduced and what are the municipalities to do in the interim?" If we're going to have regulations—and the bill says you're going to have regulations—when are they going to come forward? We're going to pass the bill. Are we using the old rules or the new rules? The new rules haven't been created yet. When are these rules going to come forward? When are these regulations going to come forward? What are the municipalities to do? They're in confusion. The charities don't know what to do; they don't know how to prepare for it.

I'm going to read the final paragraph in my letter in its entirety, because I expect and demand the minister respond to that letter. "As you can see, all the municipalities, charitable and sports organizations in my riding are somewhat adrift as to what their current position is on this matter." I've provided you with that information, and if you've lost the letter I'll be pleased to get that to you. "Accordingly, I would appreciate your providing me with a detailed reply

as soon as possible in order that I might respond appropriately to my constituents."

I don't know what to tell these people. I don't know what to tell them. These are very legitimate questions. The minister won't answer me. She won't answer my correspondence. She won't tell me. What am I to do? Well, here we are. I'm standing in this House. It's now on record. I'll be looking forward to hearing your response.

Then I wrote her again. I wrote her on September 30. It's simply a letter asking for a response, and I guess I've asked that now.

I would like to make a couple of other comments with respect to—

Interjection: Horse racing.

Mr Tilson: Sure, we'll talk about the horse racing industry. We'll talk about how this bill is going to affect the gaming. I believe that the gambling casino is going to come through this bill, through the back door. It will be related to charities. What a wonderful way to have an experiment. They'll say, "Oh, it's going to be looked after by the charities," under the strong arm of Big Brother, of course; namely, the NDP government. There's no question that this is the plan, because no other bill seems to be forthcoming.

When the minister talks about gaming services under this bill, we know she's going to be implementing gambling casinos through this bill. We know that because there's no other bill, there has been no other plan put forward. That's the plan. We pass the bill. That's the way this government operates. They'll pass this bill and then the regulations will put forward the Windsor experiment and a gambling casino in Windsor.

1700

There are reports all over North America on the gambling casino and the effects of gambling casinos. You don't need to spend a great deal of money on these; you can just phone them and ask them to fax them up to you or send you a photocopy of them. There are very detailed reports: effects on the horse racing industry—and do remember it's been estimated that 50,000 jobs will be lost as a result of your initial proposal to put forth gambling casinos in this province—the effects on the charities, which I've been spending some time on this afternoon, the effects on addiction. You people used to stand up in this House—Hansard is full of your speeches in this House when you were concerned with lotteries being introduced in this province. You talked about how we don't deal with the problem of gambling addiction. You don't talk about that now.

You haven't talked about the effects. All you've got to do is to go to someplace like Atlantic City, which is another major industry. The ironic part is, of course, that this minister and her Treasurer—I suspect it's more her Treasurer than the minister, because, to be fair to the minister, I suspect she's doing exactly as she's been told. She's been told, "We have to find new sources of revenue." This isn't her idea. Look at her record in the past. She doesn't even like gambling casinos. She hates them. She's voted against them in the past. So she's doing as our Treasurer says: "Well, the province is broke. We're going to have to have

gambling casinos. We're not too sure how we're going to do it, but do it. Get your staff working on something and do it." So I think we're now, believe it or not, surprisedly talking about gambling casinos, because I believe, until I can see otherwise, this is how she's doing to do it.

She will admit to you that this is to regulate the charities, and guess who can run gambling casinos? One of the options is that the charities can, under the supervision of the government, and that is something we should watch.

There was a very detailed article on gambling casinos, specifically dealing with Atlantic City, that came out when the whole subject of gambling casinos was first discussed by the Minister. I refer specifically to an article in the *Toronto Star* in May 1992 headlined "Gambling Get-aways." It gave the example of Atlantic City and talked about all the problems Atlantic City has.

I believe that this minister thinks she's going to attract all kinds of tourists to Windsor, that people are going to come to Windsor instead of Atlantic City or Nevada. Well, why would they? I mean, what's her plan? Is she going to have all the glitter and the entertainment and the tourist attractions that Atlantic City and Nevada have, or is she just going to have a hotel building, similar to the one in Manitoba, where you go into an old hotel and you climb up the stairs and you start gambling? We're not too sure of the rules. Is that what she's going to do? Are people going to get in buses and drive for miles to see this stuff, to play these things? Is that what they're going to do? There's been no concentrated plan put forward that we in this House can deal with and comment on. We have no idea.

The city of Toronto says: "Listen, if you're going to do that, if you're going to try and attract tourism to the province of Ontario"—the Minister of Tourism may have some comments on that—"why would you pick Windsor? Why wouldn't you pick an area of this province such as the city of Toronto, with all this great city of Toronto has?" We've seen what the World Series is doing to this great city, the tourist dollars and the world reputation this city is getting as a result of this World Series. It's absolutely wonderful. With all the wonderful things, the culture and the sporting activities, the retail facilities and the other matters this great city has, why would she pick Windsor?

Dare we suggest it's because there are three rather dangerous NDP seats that need some propping up down in the city of Windsor? Is that a possibility? I don't know, but it's very suspicious. It is ironic that at the same time the minister had her little press conference—she didn't even announce it in here; she eventually came in here, but the announcement was first made in a press conference. At that same time, the House leader, the member for Windsor-Riverside, was making a similar statement in his city announcing gambling casinos. Can you imagine? What a neat trick.

Anyway, I'd like to comment briefly on this article that came from the *Toronto Star*, and it says it is something we should look at very seriously. The city of Windsor should look at it very seriously. They didn't know it was coming. They've passed resolutions, and they think they're going to get great revenues. The city of Windsor believes it's going to get great revenues to that city. The people are

going to throng by the thousands to the city of Windsor and gamble and leave all kinds of money outside the gambling casinos.

Before you proceed with that experiment, listen to what happened in Atlantic City. I'm going to refer to this article, because it does comment on the difficulties the people of Atlantic City are experiencing. Atlantic City thought it was going to get great tourist dollars: "They're going to come in by the busload and stop at the gambling casinos. They're going to gamble and then they're going to go out and shop, go out and buy things."

What happens, of course, in the city of Atlantic City is that they come in by the busloads from other states and other cities and other countries and go directly to the gambling casinos and stay there. They gamble and then they get back on their buses and they leave, and they don't spend a dime outside in the city of Atlantic City, not a dime.

This article was written by Steve Johnson, and it's called "Gambling Getaways," another article I would recommend that members of your government read, because it's an example of what a gambling casino can do to a city.

"Life here imitates Monopoly, the board game fashioned from the streets of this city 59 years ago, when it was in its first heyday as the playground of the eastern seaboard.

"In Atlantic City's most recent incarnation as a gambling haven, dollars still change hands like play money, free parking abounds, and if you land in a boardwalk hotel, it will cost you big bucks, especially if you have the chutzpah to try and beat the odds at the gambling tables.

"But much of the town hasn't passed Go in years. Since casino gambling was legalized here 16 years ago, Atlantic City's central business district has deteriorated."

So Windsor, watch out. Watch out for what this woman could do to your city. Watch out, because she hasn't thought it out. She hasn't thought out what could happen to the city of Windsor when she puts forward a gambling casino in the city of Windsor.

"The pavement of Atlantic Avenue has well-worn grooves from the 500 buses that come to town daily, disgorging wage earners and retirees hoping to turn a quarter into hundreds in the slot machines that dominate the city's 12 casinos."

Isn't it wonderful how the NDP members used to stand up and they were against gambling because they felt that the poor, particularly with lotteries, the poor and the people receiving social assistance were going to be the ones wasting all their money on this gambling. It was the idea of pie in the sky. Isn't it strange that the people of that philosophy are now introducing gambling casinos to this province? Isn't it strange? I don't know how you people sleep at night.

Interjection: Lying down.

Mr Tilson: Well, you're lying down right now, and it's terrible. It's terrible what you're doing to this province.

"The tourists—30 million of them a year, more even than visit Disney World—generally ignore the local businesses that remain, and the result is that 'you have a strip of casinos along the Boardwalk, and the rest of the town is

pretty much a ghetto,' said Louis Toscano, a former United Press International reporter who is now senior policy adviser to Mayor James Whelan."

Mr Johnson goes on in his article:

"You also have about 50,000 new jobs in the region, an assessed value of property in the city that went from \$316.6 million before casinos to \$6.4 billion in 1990, and all the problems that come from combining so much money and so much poverty in a small city."

I don't think the minister's thought about that. I don't think the minister has thought about the economics of it, the social impact that it's going to have on the city of Windsor. I don't think she's realized that. I don't think the three NDP members from the Windsor area have thought that out and I hope they all rise and tell us what they think is going to happen.

1710

These are situations that have occurred in North America where gambling casinos have occurred, and the tremendous poverty that has arisen around the outside, the literal destruction of the horse racing industry that has occurred, the job losses, the closing down of the tracks. You put up a gambling casino on one side and right across the way the horse racing industry, which isn't just the people who work at the tracks—it's the farms, the suppliers of feed, the suppliers of the tack, all the people who serve these people, restaurants—all these people are going to be out of work. It's estimated 50,000 people in Ontario are going to be out of work because of this minister's plan to destroy this province.

The article goes on:

"The publicity campaign that persuaded New Jersey residents to legalize gambling in Atlantic City, after they had voted down a proposal applying to the whole state two years earlier, made it sound as if casinos were the answer to every municipal problem from crime to taxes."

Doesn't that sound like the city of Windsor? Someone's hoodwinked those people. They've hoodwinked them. I don't think the city of Windsor, with all due respect to it—I've never met any of the councillors, I've never met the mayor, and I'm sure they're all reputable councillors, very excellent politicians, but the province has gone in and it has told them things.

Mr Elston: Not a Tory among them.

Mr Tilson: There aren't too many Liberals down there either, I might add.

The article goes on:

"The publicity campaign that persuaded New Jersey residents to legalize gambling in Atlantic City, after they had voted down a proposal applying to the whole state two years earlier, made it sound as if casinos were the answer to every municipal problem from crime to taxes.

"Indeed, Atlantic City residents still talk as though they were promised Utopia, a place where unemployment and even property taxes would disappear.

"We all thought we would be rich overnight," this article proceeds. "It didn't happen," said Pierre Hollingsworth, president of the local chapter of the National Association for the Advancement of Colored People. 'But

that's what was sold to the people,'" and that's what this minister is trying to sell specifically to the people of Windsor and surrounding area, that it's going to be Utopia, you're not going to have any problems, there isn't going to be any crime, there are not going to be any job losses. Really.

Proceeding on with the article:

"'Instead,' said Hollingsworth, 'it's a tale of two cities. You look and you see the casino industry. Then you see the rest of the town.'

"Although most everyone agrees that gambling has been great for Atlantic county, its failure to make this city of 38,000 a suitable companion for its gaudy waterfront temples is a complicated stew of greed, corruption, incompetence and bad legislation."

That's what's going to happen here and that's what could happen in Bill 26 because this government can bring forward gambling casinos in Bill 26. That's what they can do. So watch it, because that's what's going to happen. That's what she's up to. It's a possibility that this gambling casino phenomenon that this government has created is going to come in this "little, trivial bill"—and I put that in quotation marks—that has been snuck in this afternoon and, "Oh, well, it's an insignificant bill." This is a gambling casino bill. This is it, folks. So watch it and watch them.

The article goes on:

"There is also the fact that, as Toscano put it, 'gambling is not going to be the magic wand. People hear casinos and they just assume it's the gold at the end of the rainbow. It's not. It's like any other industry that comes to town.'

"The first wave of post-gambling fervour saw the speculators moving in with a vengeance," and that's what's going to happen in Windsor. "Landlords were so eager to rid themselves of pesky tenants that they would cut water and sewer lines, forcing the potential deal-breakers to move.

"Everyone wanted to build a casino," and that's what's going to happen down there. Everyone wants it. Individuals are going to want it, but they don't realize the impact it's going to have on our social system and on this great province. "One proposal came from a company whose principal business was the marketing of"—this is referring to the Atlantic City article. Good heavens, do you know what this says? "Beefalo semen." That's what the article says. "Another came from a Rhode Island tombstone company."

All these strange Looney Tunes things that come in are associated with casino gambling. I don't think the minister realizes it. I don't think she realizes it for one minute. The Treasurer said: "We're desperate. We've got to get some money." A gambling casino is his salvation to save the province of Ontario.

The article continues:

"Often, though, properties that sold would remain idle waiting for a casino magnate to come knocking. Many stayed that way for more than a decade, leaving nearly 1,000 buildings still abandoned in July 1990.

"Since then, Whelan's administration"—he is the mayor of Atlantic City—"has embarked on an aggressive

demolition program, bringing down nearly 400 abandoned buildings."

Isn't that unbelievable? Windsor, watch out. Watch out for these people.

"The original casino laws provided very little for Atlantic City proper." "Original casino laws": We don't even have any casino laws. We don't have anything. We're just going to go ahead with an experiment. We don't know what we're going to do. We don't know what our laws are going to be. At least these people had casino laws. We don't have them.

Again, I'm referring to the article:

"The casinos were allowed to put so many restaurants and shops in there that there was no need to go outside the building," said Cora Boggs, a community activist.

"Or, as Hollingsworth said: 'They gamble and they eat. They get back in the bus and they go home.'"

It's an absolute dream, the minister and her friends think. It's not all the NDP. Some of the members over there have spoken against casino gambling, so it's not all of them. Some of them stuck to their principles. Some of them stuck to their promises that they made to this province.

But the minister seems to have a horde of people around her who simply don't honour her promises. Those people think, and those people in the government believe, that what's going to happen is that busloads of people are going to come in from Detroit, that they're all going to come in and gamble and they're all going to give the city of Windsor all kinds of money. I'd like to see the impact studies that justify that. I'd like to see the proof they have. Why do you do something on a gamble? Why guess? Don't you have a plan? Don't you have a plan as to how to run this province? Is it all just guesswork?

The article continues:

"It wasn't until 1984"—isn't that an ominous word: 1984; we've passed it and guess who we've got?—"after a group of community activists, including Boggs, pressured the Legislature to change some tax laws relating to casino profits, that the complexes were effectively forced to reinvest in the city.

"The result has been about 2,800 new units of moderate-income housing either built or about to be."

God help us. Are we going to have more non-profit housing? Is the whole thing going to be such a big mess that non-profit housing, that great hole of endless funds, is going to be thrown down into more work—more housing positions in Windsor because of gambling casinos? Are you creating another social problem in housing down in the city of Windsor?

What happened in Atlantic City was:

"The result has been about 2,800 new units of moderate-income housing either built or about to be. In one new complex, three-bedroom town homes that cost the developers more than \$200,000 to erect, largely because the city has a turn-of-the-century infrastructure, were selling for \$70,000."

It's kind of sad, what's happened to Atlantic City. I hope it doesn't happen to Windsor. There's still time for this government to come to its senses. There's still time for the minister to put forward her own personal views, that

she's opposed to gambling casinos, that her backbone tells her to stand up to this Treasurer, this desperate Treasurer, this desperate government and say: "Your answer, your salvation is not in gambling casinos; that's not the place. Don't do it. Find some money somewhere else, but don't do it. Don't destroy the city of Windsor. Don't destroy other cities in this province as has occurred in Atlantic City."

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Finally, the article continues:

"Under the new administration, casino money is going towards widening some major downtown streets and cleaning up the entryway of the city, part of a plan to create a commercial corridor between the boardwalk and a new convention centre that the state recently approved. Conventioners may come, but gambling will probably remain king. One need only watch the fervour with which people feed the slot machines to realize this."

Doesn't that sound like your own personal philosophy? You're opposed to greed and that's the answer for solving the economic woes of this province.

Mr Johnson concludes his article by quoting Pierre Hollingsworth, the president of the local chapter of the National Association for the Advancement of Colored People: "'If you don't believe it,' Hollingsworth said, 'let somebody yell fire in a casino and you watch. People will have to drag them away.'"

It's a sad story that has developed in Atlantic City and I hope, after this experiment the minister is proceeding with, that we're not going to have similar stories in the city of Windsor. It is depressing. I suggest you lobby your minister, that you lobby your other members to tell her to reverse this position, and watch this bill because this is how she is probably going to do it.

The legislation on Bill 26 also refers to several interesting provisos, a number of which will appear in the regulations. For instance, the regulations will require that all registered bingo operators and their employees must have photo identification and fingerprints on file with the minister. What kind of state is this becoming? These people are trying to run an economy. You're going to photograph them and take their fingerprints. They haven't committed a crime, but that's what you're going to do. Has Big Brother arrived?

In part, this is because there is a strong recognition of the attractiveness of this cash-based industry to the criminal element. It's the belief of this government that the criminal element has taken it over. Service clubs, religious organizations, sports activities—they take great offence to that. Try to be a little more sensitive in your legislation. Try to appreciate that the criminal elements have not taken over this industry. Try to be a little bit more sensitive.

In order to further dissuade any criminal intentions, the ministry has established stringent authority for the examination of the books of the registered suppliers to ensure that the charitable organizations are receiving their full share of the proceeds. In addition, all suppliers wishing to be registered must pass an examination of past history and financial worthiness performed by the ministry.

The government also intends, through regulation, to define what forms of charity may make use of charitable gaming. For example, semi-professional junior A hockey will not be able to use charitable gaming as a fund-raising tool. In addition, minors may not sell Nevada tickets.

We have to spend a great deal more time on this bill and I believe we need to hear from charities, the service clubs, the religious institutions, the people who run these industries, the gambling casino people—for and against. We need to hear more of that and I believe this bill should go to public hearings in order that the people of Ontario can express their concerns on this bill.

The Acting Speaker: I thank the honourable member for his participation. Questions and/or comments?

Mr Will Ferguson (Kitchener): I'm glad that the honourable member from the Progressive Conservative caucus did in fact mention the Gaming Services Act during the last two minutes and 33 seconds of his presentation, because he of course spent by far the majority of time talking about his dislike of casinos in the city of Windsor. I would suggest that when we get to the casino legislation perhaps he might want to go down to Windsor and talk to the good people of Windsor, who overwhelmingly support the proposal.

There's another statement that he made at the end. He said this won't help Junior A hockey. In fact, it will help Junior A hockey in this province. If the Ontario Hockey Association applies for the licence as required in the bill, in the regulations, then of course all the hockey clubs will be entitled to raise money through charitable events for their particular cause.

I want to tell you that it's no secret that bingo alone—withstanding Nevada lottery licences, a number of non-profit casinos that happen now across the province—is a billion-dollar industry in Ontario. This government has heard, as did the past government, from a number of municipalities that have recognized for some time that some real inequities exist in the system and that without question there are some individuals out there who have become very rich off the bingo industry alone, not to mention a number of the other charitable fund-raising events that take place.

The purpose of this bill, which was introduced by the previous government—and now we have the bill reintroduced with some modifications—is simply to put some fairness back into the system for the charities, so that those dollars will in fact go where they're most needed and it won't just be a get-rich-quick scheme for some people in the province.

The Acting Speaker: Time has elapsed. Further questions and/or comments?

Mr James J. Bradley (St Catharines): I recall hearing a number of interesting interventions by people about this bill and the future potential of gaming in the province of Ontario. I must say that I was pleased to hear exposed for all the people of Ontario the ramifications of this bill for the province, particularly of casino gambling.

I know from talking to my good friends in the New Democratic Party, some who used to sit in this House and

some who have never sat in this House, who have informed me that the person who was most strongly opposed in the NDP caucus to casino gambling on every occasion was none other than the member for York South, the Premier of Ontario. So I found it extremely surprising that the government would now be bringing this forward.

Like so many other people, while I found myself at times in conflict with the views of the members of the New Democratic Party when I was sitting on the government side or even when I was sitting on the opposition side eight years previously, with the NDP to my left, I always felt that in principle it was opposed to certain things. They were strong on those things and, whether they were right or wrong on them, one could count on the NDP to stand firm on them.

When I see this bill brought forward and the potential for casino gambling in Ontario, gambling which would have, in my view, a detrimental effect, I thank the government for not putting it in St Catharines. I don't want it in St Catharines and I don't care who in St Catharines does. I'm quite pleased to see that if you're going to put it somewhere, you didn't put it in my city, because I don't want it.

Now, there may be other people in the community who do, and I respect their point of view. But I believe it's detrimental; I believe it has an effect. It's a glamorous type of gambling which is going to attract people who otherwise might not spend as much money on gambling. It's going to have a bad effect on the community in which we reside and it's going to take money away from various charities and service organizations that could use that money much more than the government of Ontario.

The Acting Speaker: Thank you. Further questions and/or comments? The honourable member for Simcoe East.

Mr McLean: I wanted to comment briefly on the comments of the member for Dufferin-Peel today, some of the aspects the member mentioned.

The raceways: If we look at the Orangeville, Barrie and Windsor raceways, what effect is this bill going to have on those facilities? Are they going to put the raceways out of business when there are some 50,000 to 60,000 people employed there?

Many small community groups in my riding raise money through the Nevada tickets. We have the bingo halls that raise money for the groups in the communities. Casino gambling is going to have an effect on those very groups the small communities rely on, such as the Coldwater legion, where they raise money for the community centre, raise money for the seniors. Many small communities are going to be affected by this.

1730

There was an opposition leader here one time who said something not very nice about gambling. He said it was the worst thing anybody would ever do, to institute gambling. I believe it's the Premier of today who said that, and I can't believe they would be bringing in legislation to do the very thing he condemned so sincerely in this House.

The other aspect of this is the police and the crime that can be involved from this legislation. The members from

Windsor talk about how great it could be. I predict that there could probably be two casinos open in Detroit before they even get around to opening the one in Windsor. The revenue is not going to stay in that community; the revenue the Treasurer is looking for is going to come from the people who visit that city and leave without spending money to keep the downtown core alive.

The Acting Speaker: Further questions and/or comments?

Hon Ms Churley: I just wanted to say that we're not here today to talk about—I understand people want to talk about casinos. There'll be lots of opportunities to talk about casinos, but we're here today to talk about the Gaming Services Act, which is a really important act to the charitable sector. I want to answer a few of your questions. Obviously I'll have to sum up later.

In terms of the municipalities, this is a good deal for them. They're happy about this. They in fact get to do a small increase of work, but their revenues increase as well, about 9% or 10%. Their revenues actually increase. The province will continue to provide the policy framework and the licensing forms and all that kind of stuff.

In terms of consultation, ministry staff have consulted with representatives of over 3,000 charities and over 800 municipalities, including 300 hall owners. It's been really extensive. The comments received from those parties have been almost universally positive.

To sum up on this, I want to say very clearly that we recognize the valuable contribution of the private sector in making the charitable licensing as profitable as it's become. We also recognize that there are problems. As always in these things, there are some who act illegally and are skimming profits. That's a very, very serious problem for the billion-dollar non-profit sector that relies on these proceeds, so it's really important that we address that as quickly as possible.

The association and various other sectors have been involved in this and in fact are quite positive and feel it's very important to move ahead. It's been out there for some time, and after a lot of consultation we really are ready to go with this.

The Acting Speaker: Thank you. This completes questions and/or comments. The honourable member for Dufferin-Peel has two minutes in response.

Mr Tilson: I'm disappointed in the Minister of Consumer and Commercial Relations for a whole slew of things. I take the time to read you a letter with very simple questions, and you forget my letter and just babble on about something that has nothing to do with it. When am I going to get my mail answered? It's a very legitimate question.

With respect to the city of Windsor, the members of the Progressive Conservative Party spent this past weekend in the city of Windsor and those questions were asked. I'll tell you, they'd never heard of this subject. The matter has been debated at council because of a developer who has paid the province all kinds of money for some sort of study he's doing—I don't know where that is—but the people of Windsor didn't even know it was coming. Out of the blue

the minister makes this announcement. Even the mayor didn't know about it. He had no idea.

So there's been no consultation with the municipal officials in this province, specifically the city of Windsor, for a new gambling casino that's going to be developed in Windsor. The city of Windsor is going to have to pay for and operate increased police services. The province isn't going to do that. The city of Windsor is going to have to do that. So all the crime that's going to be coming—your own Attorney General has told you in a very detailed report which was presented to this House fairly recently, "Don't do it." He said that virtually every study undertaken in the United States, Britain, Australia and elsewhere points out that gambling casinos, whether legal or illegal, encourage criminal activity. He told you that if a jurisdiction is not willing to accept this involvement, then it shouldn't get into legalized gambling.

Mr McLean: Who said that?

Mr Tilson: The Attorney General of Ontario. I don't imagine those ministers even talk to each other in matters like this. She's just plowing ahead with her blinders on. I suspect the blinders have moved over and she can't see a thing.

The Acting Speaker: Further debate?

Mr Derek Fletcher (Guelph): It's a pleasure to rise in support of Bill 26. I'll be speaking about the Gaming Services Act, not casino gambling, as some people have been going on about, because this is not casino gambling; it's the Gaming Services Act. Everyone knows that gambling in Canada is illegal.

Mr Elston: On a point of order, Mr Speaker: I wonder, before we get an explanation of this act from the member, if he believes that a No vote in the referendum on the 26th will affect the status of this bill when it comes back to this House for reconsideration.

The Acting Speaker: That, I believe, is a question for question period or questions and/or comments. The honourable member for Guelph now has the floor on Bill 26.

Mr Fletcher: I will not even respond to that question.

As everyone knows, gambling in Canada is illegal, and it has been. The Criminal Code itself recognizes this. The code also recognizes that three forms of legalized gambling are allowable: lotteries offered by provincial governments, horse racing and charitable gaming.

Let me just explain what's been going on in Guelph as far as bingos are concerned. More and more charitable organizations have been trying to get into the bingo halls so they can raise some money for their organizations, but they've been having trouble because all the spaces have been taken up. When they do finally get a spot to go in, they put all the work into it—I've worked in bingo halls, and they're not the nicest places to work—they finally get their spot and find that the amount of money they take in has gone down from previous years. That's because it's an unregulated commercial sector, and even though there is more money coming in, the percentage going to these organizations has decreased. This is because of unscrupulous commercial operators who, without any regulations and

without any monitoring, have been skimming money off the top.

Let me give you an example. The entertainment standards branch staff were working closely with the Metropolitan Toronto Police Force on a joint investigation. They uncovered thefts and fraud in one bingo hall that will likely exceed \$1 million. Several people who were involved in this crime have been charged and the religious order has been cheated out of thousands of dollars. "Representatives from the law enforcement community have repeatedly"—I'm reading this from a communique—"expressed strong concern that as long as commercial sector activity is unregulated, charitable gaming is particularly vulnerable to the influence of organized crime. In a business that deals strictly in cash, the opportunities to launder money are limitless."

As far as the licensing authority is concerned, right now municipalities license over 90% of all charitable events and the province licenses the others. The authority is delegated from the federal government to the provincial government, and the provincial government has passed on some of this to the municipalities. As the minister has already said, municipalities are going to be gaining on this.

Regarding a lot of what the member for Dufferin-Peel has said, there were a lot of members in our caucus who had similar concerns. We brought them up at caucus and the minister answered those questions, made assurances and also changed a lot of what was going to happen as far as an original proposal was concerned because of concerns like the member opposite has brought up, and, yes, she has also met with that member on a personal basis.

Many of our caucus members who are sitting here had the same concerns. I'm glad the minister's still sitting here. The minister went into what I call the bear pit. When you're in our caucus meetings, you have to be ready, because there are people who are coming at you left, right and centre, not because they don't agree but because—

Mr Tilson: More from the left.

Mr Fletcher: More from the left. You're absolutely right. The member for Dufferin-Peel has it exactly right.

1740

There were a lot of people who were upset, and that goes on with a lot of the things we're doing. We have to get these things out, so we have some great discussions and some great debates in our caucus meetings.

Mr Elston: Name projects. For example, what are people upset about?

Mr Fletcher: You should have been there for auto insurance. I'm telling you, that was a good debate.

But the minister handled the one on gaming very well and listened to the concerns of the people in caucus and of members opposite who had concerns. Now, if you put a return address on your letter, you'll get an answer. That's understandable.

She did come in and say: "I understand your concerns as far as what is happening with charities—and we're here to protect the charities; that has to be there—and to make

sure that these regulations still remain within the Criminal Code, that we're not going outside the bounds. But the municipalities are not being overburdened but are going to collect some money, some revenue from this."

The municipalities have been saying for years, "Give us some control over this, because it's going out of control." Perhaps the moratorium the previous government placed on bingo halls is going to be lifted. There's a possibility of it being lifted and more bingo halls being constructed, which is going to, in my opinion, create some employment in this area.

Mr Elston: Oh, a building boom in bingo halls. That will resurrect the economy.

Mr Fletcher: Well, it's a little part, and it takes a little bit of this, a little bit of that, as the member from Grey-Bruce or wherever he's from says.

Mr Elston: Just Bruce.

Mr Fletcher: Just Bruce? Oh, yes, I was thinking of Mr Murdoch.

The member for Bruce is saying, "It takes little bits to resurrect an economy, especially at this point in time."

Mr Elston: This is more of an economic plan than the Premier has given us. Put this man in cabinet.

Mr Fletcher: Let's not get carried away over there.

Mr Elston: Let's build bingo halls and get this province going.

The Acting Speaker: Order, please. The honourable member for Guelph has the floor. Other members will have an opportunity.

Mr Fletcher: I'm going to leave some time for my colleagues who also wish to speak on this, and some of the people who are going to be speaking on this had concerns. As I said, the minister addressed these concerns, such as those of my friend behind me.

When I talk about charities, right now there are approximately 50,000 charities that benefit from bingos, casino nights, from the rip-off tickets. This provides a framework in which fund-raising can be profitable, and it's going to increase the fund-raising for charities. It also creates a consistent and stable marketplace for suppliers that charities must deal with, and it promotes charitable self-sufficiency, resulting in less demand on government. If these charities are working the bingos, working with the lottery tickets, working with other organizations to raise money, then the government isn't always going to be there, looking at groups saying, "We need money to carry on our important work." And yes, they are important organizations.

If it lessens the demand on government and charities become more self-sufficient, why is it bad? Why is it wrong? I have to take with a grain of salt what is coming at me from across the floor. I recognize your job is to be opposition, but to oppose just for the simple fact of opposing, I have some problems with.

You go on and talk about casino gambling, when this has nothing to do with casino gambling but has something to do with helping out charities and shifting the load to municipalities. And you say it's downloading. No, the mu-

nicipalities were asking for some more control. It's not a download. Why not accept the fact that the government has done something that is not only good, but is something that municipalities and charities have been asking for?

We get this all the time. The opposition will say: "You didn't go out and you didn't consult. When you did consult, you didn't listen." Well, yes, we did consult. We consulted with many groups, many municipality groups, and they were saying to us: "Yes, we need more control over this. It's getting out of hand. Bingo halls are opening up all over the place. We don't have any regulations on the bingo halls, and we need this."

I'm not going to continue speaking for long; I hope to leave a lot of time for other people from my own caucus who do wish to speak on this. But let me just reiterate the point that when you start bringing in the other aspects such as casino gambling and what this government is doing, you're missing the target. The target, as far as what this bill is going to do, is that it's going to help municipalities and it's going to help charitable organizations. The money the charitable organizations raise is going to definitely go to the people who need it most. That's why I'm so happy to be able to rise and support Bill 26.

The Acting Speaker: I thank the honourable member for his participation. Questions and/or comments?

Mr Elston: I rose a little earlier, inviting the honourable member to talk to us a little bit about what effect the No vote might have on this piece of legislation, inasmuch as the introductory comments of the minister, as you well recall, dwelt for a considerable amount of time on the efforts she has undertaken with her ministry to deal with the question of operating bingos on reserves with natives. I thought it was a particularly good chance for the member, who knows a fair bit about the referendum items, to speak during his remarks about the effect it might have on the minister and the ministry's efforts to deal with bingos on reserves, but he chose, I guess, to ask me to raise it in this two-minute time period.

I ask him the question again seriously, because some of the provisions here may have to be reworked to deal with the discussions and negotiations that are ongoing. It's an issue that's extremely important for a good part of the province, because there have been very serious disagreements in communities about the establishment of gaming services on reserves. In fact, during the time when we were in government, we spent some considerable time dealing with the issue of whether or not there was a violation of the Gaming Act by a reserve that set up bingos at times when we thought it wasn't authorized to do so.

I only put that in the context of the overall difficulties which are addressed in here, because I think it's going to be important for all of us to eliminate as many as possible of those irritants to all the people who ultimately are going to be able to operate these facilities. All those things have to be taken into consideration, but perhaps it will go out the window if someone leads a No campaign in their communities, and I'm extremely concerned about that as an issue.

The Acting Speaker: Further questions and/or comments?

Mr Tilson: To the member for Guelph, there's no question that when you look at the bill, it does not deal, on the face of it, with gambling casinos. The purpose of the bill is to regulate gaming that is operated by charities, religious organizations and sporting activities. When you get your act together with respect to gambling casinos—if you haven't already and just don't want to tell us, or maybe you're still thinking about it—you will see that one of your options is to have a charity operate gambling casinos. That can be done through this bill, and you know that and you should come clean with this House and admit that.

Yes, I believe you have problems under this bill of operation, with the exception of the slot machines. Every other aspect of the gambling casino can be operated under this bill. Both the minister and the member for Guelph have now stood up and said there's just no way that gambling casinos are going to come through this bill, and I just remind members that when you look at what the bill is doing, that is, to regulate charitable organizations, there are charitable organizations that run gambling casinos. When you realize that fact, that's what I fear your minister is going to do.

Maybe she hasn't told you. Maybe the Treasurer hasn't told her. I don't know who's calling the shots over there, but I'm just concerned when you stand in this House—I'm addressing my comments to the member for Guelph, Mr Speaker—and make those comments that there's no way that gambling casinos can come through this bill, because I say to you that they can through the regulations you're putting forward, that you propose to implement through Bill 26.

The Acting Speaker: Further questions and/or comments?

Mr Bradley: The problem I know the member would have heard from his community has been the issue of bingos as they affect Junior B hockey teams and Junior C hockey teams and lacrosse teams and softball, baseball, soccer, any kind of sports. One of the concerns that was expressed last year to members of the Legislature was that the government would be moving in a direction which would mean that there would be a termination of the opportunity for those people to run bingos.

I know I've been contacted by the St Catharines Butler Junior B Falcons executive. They have expressed their grave concern that the government is moving in this direction.

1750

I directed a question to the minister and made some statements in the House. The minister attempted to clarify that previously and indicated a bill would be coming in that would deal with this subject. One can say that we always want to ensure that bingos are operated in a fair fashion, that those who run the bingo halls are operating them in such a way that the organizations that are involved in the bingos are getting a reasonable benefit from it and not simply the lion's share of the money going to the operators of the bingo hall.

However, I want to implore the government to recall that the various sports organizations in the community that it considers to be profit are actually virtually non-profit organizations. They provide an opportunity for young people in the communities to be able to enjoy these activities, to participate in these activities. The old saying was that it kept the kids off the street. I guess there is some considerable validity in that. It allowed them to be involved in a constructive activity within their community. It allowed spectators to enjoy the sport. It allowed people to become involved in volunteer organizations.

I hope this bill will not result in these people losing their opportunity to operate bingos as they've had the opportunity to do in the past.

The Acting Speaker: We can accommodate one final participant in questions and/or comments. Seeing none, the honourable member for Guelph has two minutes in response.

Mr Fletcher: I welcome the comments. As far as the Constitution is concerned or the accord, whatever happens for self-government with natives is going to have to be negotiated over a period of time anyway. You can't just jump in and, bang, have native government. Everyone knows there are different circumstances and I think the Premier has answered that quite well. The same thing will happen as far as charitable organizations, bingos and things are concerned; it's going to be an ongoing negotiation.

As for as the member for Dufferin-Peel saying that this is going to open the door for casinos, it's there right now. Charitable organizations can already apply for casino night. We've been seeing them all over the place. That's with the regulations now, so this isn't going to open up anything. It's nothing new under the regulations as far as that's concerned.

As far as Junior B and Junior A hockey teams, they have an option. They were approached by the minister and her staff with a plausible solution to the situation that they've been operating illegally for years and it's time to get back under the fold. They didn't exactly like it, but I know with the Junior B team in Guelph, the director came and spoke to me and said: "Thanks for the help. We think the solution that we're getting close to is a good solution." Even though my son got cut from the team, I think he was being honest when he was speaking to me.

As for as what has been coming across from the other side, I think that as I said before, we have to take a lot of what opposition is saying as just that: It's their job to be opposition. Even though they do like parts of these regulations, even though they wish they could stand up and vote in favour of them, we know that party lines are holding them back.

The Acting Speaker: I want to thank the honourable member for his participation. Further debate on Bill 26, the honourable member for Mississauga West.

Mr Steven W. Mahoney (Mississauga West): Thank you, Mr Speaker.

Mr Anthony Perruzza (Downsview): Point of order.

The Acting Speaker: On a point of order, the honourable member for Downsview.

Mr Perruzza: Mr Speaker, I thought we were on a rotation and the last member to participate in the debate was Mr Tilson. I thought that our party was—

The Acting Speaker: I'm sorry, that is not the case. It's not a point of order. The honourable member for Mississauga West.

Mr Mahoney: The member for Guelph obviously really drove his points home with the members of his own caucus; I congratulate him on that.

I have only about eight minutes left so I'll have to conclude my remarks the next time we get an opportunity to get back to this bill. But very briefly, the issue of eligibility of groups to be licensed for bingo is really what my colleague the member for St Catharines and others are talking about. The one thing, I say to the minister, that concerns me and others here is there may be a need to look at the different communities and the impact on those communities.

Indeed, in some of the smaller communities around the province, the only game in town may be Junior B hockey, and they may indeed need the bingo revenue to be able to survive due to the travel costs in northern Ontario—and all over the province, frankly—whereas you may get into another situation where there are all kinds of activities and in another part of town, perhaps in a more urban populated area, the Junior B clubs are not even using bingo as a revenue generator because they make money at the gate and they share funds from all the teams in the league in their particular loop.

I would ask you to consider when you're getting to eligibility—which I know you have not said is part of this particular bill, but it is addressed and it is a fear that's there—that the potential to change the eligibility for groups should not necessarily be based on whether or not they are simply for profit or non-profit. That may be one criterion, but another criterion could be to look at the individual circumstances: the town, the league in which they play, the costs. There may be extended travel costs. We shouldn't be putting in place a situation where a club like a Junior B club from St Catharines or a Junior B club from Sault Ste Marie or whatever—and I stand to be corrected on this, but I don't know of any Junior A clubs that are involved in charitable gaming, but certainly Junior B clubs are.

I would say that while the purpose of my remarks would be primarily directed towards the charity organizations in minor sports and other groups of that nature, we should not just simply do what all too often is done around this place, and that is, pass legislation that's designed for one part of the province and doesn't take into account the vagaries of another part of the province or another situation.

Mr Bradley: Like Toronto?

Mr Mahoney: Well, it could be Toronto. It could be that there may be areas where the revenue is high, as I say, in the larger urban communities. I know that if you go to a Streetsville Derby Junior B hockey game in Mississauga, the place quite often is packed. It's exciting. They play in teams in a loop where they generate a lot of interest and a tremendous fan following. That may not be the

case in another area. So I would simply ask you to look at that.

Minister, I would also tell you that, as you know, I wrote you a letter expressing concerns from some constituency groups of mine dated July 8, and I'm pleased that on September 2 you did reply to me. I guess maybe I was nicer in the tone of my letter; I don't know. But I'm just concerned and I want to place on the record the fact that the main concerns of the charity groups that came to see me and my critic, Mr Cordiano, about this had to do with the level of the prize money.

In Mississauga, we have bingo organizations grossing \$5.5 million a year. People are astounded. They don't realize how much money's involved in this. So they're generating \$5.5 million a year. The concern was that your terms and conditions would raise the level of prizes from 50% of the revenue brought in up to 60%. It's only 10%, but if you look at it, the 10% of the gross revenue of \$5.5 million means that the charities in that community would lose over \$500,000 in revenue annually, and for what reason?

The discussion paper and the comments you make in your letter surround communities that are not making money in bingo, that are indeed losing money. You refer to that. You want to ensure that the charities make money. Once again, don't attempt to pass legislation to solve a problem for a particular part of Ontario at the expense of another part of the province that's doing just fine, thank you very much, as far as the profit they're making is concerned.

All you're doing by raising that level from 50% to 60% is putting 10% more money into the prizes and taking it right out of the charities. It will not come out of the commercial operators, which indeed are the people you are attempting to regulate with this legislation, and not the charities. You have responded and said this is referred to in the terms and conditions, but not in Bill 26 itself.

There is a fear and a concern, regardless of who's in government. I say to you that bingo is definitely a non-partisan issue. Probably one of the biggest issues annually at city council in my community and many communities is, who's going to get the licence to operate bingo to be able to fund their particular ongoing charitable organization? It is a huge issue, and what we do not want to get into is the province regulating or determining the eligibility and the criteria for the bingo operators.

That's something, in your letter back to me, Minister, you responded to by saying, "Sports organizations are considered charitable only when they are non-profit, non-professional, youth-oriented leagues and associations."

The question is, are you going to change that? Are you going to start using the money perhaps more for health-oriented issues? Are you going to start using it for cultural organizations, at the expense of the minor sports? I'm not taking it away that the heart fund and the Heart and Stroke Foundation and the Canadian Cancer Society, everybody needs money, but there are some issues that clearly, historically are the responsibility of the government to provide the money.

Even though you are attempting to say that casino gambling is being brought in just to solve your debt problem,

the reality is casino gambling will hopefully help the community. Remember that it's taking away from the bingo operators. There's only so much money available. Just be very cautious about the eligibility.

I see the Speaker motioning. It being 6 of the clock, I guess it would be up to me to adjourn the debate and carry on with remarks at a later time.

The Acting Speaker: Thank you. It now being 6 of the clock, this House will stand adjourned until tomorrow, Thursday, October 22, at 10 in the morning.

The House adjourned at 1802.

**LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor/Lieutenant-gouverneur: Lt Col The Hon/L'hon Henry N. R. Jackman CM, KStJ, BA, LLB, LLD

Speaker/Président: Hon/L'hon David Warner

Clerk/Greffier: Claude L. DesRosiers

Clerk Assistant and Clerk of Committees/Greffier adjoint et Greffier des comités: Smirle Forsyth

Clerk Assistant and Clerk of Journals/Greffier adjoint et Greffier des journaux: Alex D. McFedries

Sergeant at Arms/Sergent d'armes: Thomas Stelling

Constituency	Name of member	Party	Other responsibilities
Algoma	Wildman, Hon/L'hon Bud	ND	Minister of Natural Resources, minister responsible for native affairs/ministre des Richesses naturelles, ministre délégué aux Affaires autochtones
Algoma-Manitoulin	Brown, Michael A.	L	Chair, standing committee on general government/ Président du Comité permanent des affaires gouvernementales
Beaches-Woodbine	Lankin, Hon/L'hon Frances	ND	Minister of Health, minister responsible for the substance abuse strategy/ministre de la Santé, ministre responsable de la Stratégie de prévention de la toxicomanie
Brampton North/-Nord	McClelland, Carman	L	Vice-Chair, standing committee on general government/ Vice-Président du Comité permanent des affaires gouvernementales
Brampton South/-Sud	Callahan, Robert V.	L	
Brant-Haldimand	Eddy, Ron	L	
Brantford	Ward, Brad	ND	parliamentary assistant to Minister of Industry, Trade and Technology/adjoint parlementaire du ministre de l'Industrie, du Commerce et de la Technologie
Bruce	Elston, Murray J.	L	opposition House leader/ chef parlementaire de l'opposition
Burlington South/-Sud	Jackson, Cameron	PC	Chair, standing committee on estimates/ Président du Comité permanent des budgets des dépenses
Cambridge	Farnan, Mike	ND	Vice-Chair, standing committee on the Legislative Assembly/ Vice-Président du Comité permanent de l'Assemblée législative
Carleton	Sterling, Norman W.	PC	
Carleton East/-Est	Morin, Gilles E.	L	Deputy Speaker and Chair of the Committee of the Whole House/ Vice-Président et Président du Comité plénier de l'Assemblée législative
Chatham-Kent	Hope, Randy R.	ND	parliamentary assistant to Minister of Community and Social Services/adjoint parlementaire du ministre des Services sociaux et communautaires
Cochrane North/-Nord	Wood, Len	ND	parliamentary assistant to Minister of Natural Resources/ adjoint parlementaire du ministre des Richesses naturelles
Cochrane South/-Sud	Bisson, Gilles	ND	parliamentary assistant to Minister of Northern Development and Mines, parliamentary assistant to minister responsible for francophone affairs/adjoint parlementaire de la ministre du Développement du Nord et des Mines, adjoint parlementaire du ministre délégué aux Affaires francophones
Cornwall	Cleary, John C.	L	
Don Mills	Ward, Margery	ND	parliamentary assistant to Minister of Government Services/ adjointe parlementaire du ministre des Services gouvernementaux
Dovercourt	Silipo, Hon/L'hon Tony	ND	Minister of Education/ministre de l'Éducation
Downsview	Perruzza, Anthony	ND	parliamentary assistant to minister responsible for the greater Toronto area/adjoint parlementaire de la ministre responsable du Bureau de la région du grand Toronto
Dufferin-Peel	Tilson, David	PC	
Durham Centre/-Centre	White, Drummond	ND	Chair, standing committee on regulations and private bills/ Président du Comité permanent des règlements et des projets de loi privés
Durham East/-Est	Mills, Gord	ND	parliamentary assistant to Minister of Municipal Affairs/ adjoint parlementaire du ministre des Affaires municipales
Durham West/-Ouest	Wiseman, Jim	ND	parliamentary assistant to Minister of Revenue/ adjoint parlementaire de la ministre du Revenu
Durham-York	O'Connor, Lawrence	ND	parliamentary assistant to minister responsible for the substance abuse strategy/adjoint parlementaire de la ministre responsable de la Stratégie de prévention de la toxicomanie
Eglinton	Poole, Dianne	L	
Elgin	North, Hon/L'hon Peter	ND	Minister of Tourism and Recreation/ ministre du Tourisme et des Loisirs
Essex-Kent	Hayes, Pat	ND	parliamentary assistant to Minister of Agriculture and Food/ adjoint parlementaire du ministre de l'Agriculture et de l'Alimentation
Essex South/-Sud	Mancini, Remo	L	Chair, standing committee on public accounts/ Président du Comité permanent des comptes publics

Constituency	Name of member	Party	Other responsibilities
Etobicoke-Lakeshore	Grier, Hon/L'hon Ruth A.	ND	Minister of the Environment, minister responsible for the greater Toronto area/ministre de l'Environnement, ministre responsable du Bureau de la région du grand Toronto
Etobicoke-Humber	Henderson, D. James	L	
Etobicoke-Rexdale	Phillip, Hon/L'hon Ed	ND	Minister of Industry, Trade and Technology/ ministre de l'Industrie, du Commerce et de la Technologie
Etobicoke West/-Ouest	Stockwell, Chris	PC	
Fort William	McLeod, Lyn	L	Leader of the Opposition/chef de l'opposition
Fort York	Marchese, Rosario	ND	parliamentary assistant to the Premier, parliamentary assistant to Minister of Intergovernmental Affairs/adjoint parlementaire du premier ministre, adjoint parlementaire du ministre des Affaires intergouvernementales
Frontenac-Addington	Wilson, Hon/L'hon Fred	ND	Minister of Government Services/ ministre des Services gouvernementaux
Grey	Murdoch, Bill	PC	
Guelph	Fletcher, Derek	ND	parliamentary assistant to Minister of Consumer and Commercial Relations/adjoint parlementaire de la ministre de la Consommation et du Commerce
Halton Centre/-Centre	Sullivan, Barbara	L	
Halton North/-Nord	Duignan, Noel	ND	Chair, standing committee on the Legislative Assembly/ Président du Comité permanent de l'Assemblée législative
Hamilton Centre/-Centre	Christopherson, Hon/L'hon David	ND	Minister of Correctional Services/ministre des Services correctionnels
Hamilton East/-Est	Mackenzie, Hon/L'hon Bob	ND	Minister of Labour/ministre du Travail
Hamilton Mountain	Charlton, Hon/L'hon Brian	ND	Minister of Financial Institutions, Minister of Energy/ ministre des Institutions financières, ministre de l'Énergie
Hamilton West/-Ouest	Allen, Hon/L'hon Richard	ND	Minister of Colleges and Universities, Minister of Skills Development/ministre des Collèges et Universités, ministre de la Formation professionnelle
Hastings-Peterborough	Buchanan, Hon/L'hon Elmer	ND	Minister of Agriculture and Food/ ministre de l'Agriculture et de l'Alimentation
High Park-Swansea	Ziemba, Hon/L'hon Elaine	ND	Minister of Citizenship, minister responsible for human rights, disability issues, seniors' issues and race relations/ministre des Affaires civiques, ministre déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales
Huron	Klopp, Paul	ND	parliamentary assistant to Minister of Agriculture and Food/ adjoint parlementaire du ministre de l'Agriculture et de l'Alimentation
Kenora	Miclash, Frank	L	opposition deputy whip/whip adjoint de l'opposition
Kingston and The Islands/ Kingston et Les Îles	Wilson, Gary	ND	parliamentary assistant to Minister for Skills Development/ adjoint parlementaire du ministre de la Formation professionnelle
Kitchener	Ferguson, Will	ND	parliamentary assistant to Minister of Transportation/ adjoint parlementaire du ministre des Transports
Kitchener-Wilmot	Cooper, Mike	ND	parliamentary assistant to the Solicitor General; deputy government whip; Chair, standing committee on administration of justice/ adjoint parlementaire du Solliciteur général, whip adjoint du gouvernement, Président du Comité permanent de l'administration de la justice
Lake Nipigon/Lac-Nipigon	Pouliot, Hon/L'hon Gilles	ND	Minister of Transportation, minister responsible for francophone affairs/ministre des Transports, ministre délégué aux Affaires francophones
Lambton	MacKinnon, Ellen	ND	Vice-Chair, standing committee on regulations and private bills/ Vice-Présidente du Comité permanent des règlements et des projets de loi privés
Lanark-Renfrew	Jordan, W. Leo	PC	
Lawrence	Cordiano, Joseph	L	Vice-Chair, standing committee on public accounts/ Vice-Président du Comité permanent des comptes publics
Leeds-Grenville	Runciman, Robert W.	PC	Chair, standing committee on government agencies/ Président du Comité permanent des organismes gouvernementaux
Lincoln	Hansen, Ron	ND	Chair, standing committee on finance and economic affairs/ Président du Comité permanent des finances et des affaires économiques
London Centre/-Centre	Boyd, Hon/L'hon Marion	ND	Minister of Community and Social Services, minister responsible for women's issues/ministre des Services sociaux et communautaires, ministre déléguée à la Condition féminine
London North/-Nord	Cunningham, Dianne	PC	Progressive Conservative chief whip/ whip en chef du Parti progressiste-conservateur
London South/-Sud	Winninger, David	ND	parliamentary assistant to the Attorney General, parliamentary assistant to minister responsible for native affairs/ adjoint parlementaire du Procureur général, adjoint parlementaire du ministre délégué aux Affaires autochtones

Constituency	Name of member	Party	Other responsibilities
Markham	Cousens, W. Donald	PC	Progressive Conservative deputy House leader/ chef parlementaire adjoint du Parti progressiste-conservateur
Middlesex	Mathysen, Irene	ND	parliamentary assistant to Minister of the Environment/ adjointe parlementaire de la ministre de l'Environnement
Mississauga East/-Est	Sola, John	L	
Mississauga North/-Nord	Offer, Steven	L	
Mississauga South/-Sud	Marland, Margaret	PC	Vice-Chair, standing committee on estimates/ Vice-Présidente du Comité permanent des budgets des dépenses
Mississauga West/-Ouest	Mahoney, Steven W.	L	opposition chief whip/whip en chef de l'opposition
Muskoka-Georgian Bay	Waters, Daniel	ND	parliamentary assistant to Minister of Tourism and Recreation/ adjoint parlementaire du ministre du Tourisme et des Loisirs
Nepean	Daigeler, Hans	L	Vice-Chair, standing committee on social development/ Vice-Président du Comité permanent des affaires sociales
Niagara Falls	Harrington, Margaret H.	ND	parliamentary assistant to Minister of Housing/ adjointe parlementaire de la ministre du Logement
Niagara South/-Sud	Coppen, Hon/L'hon Shirley	ND	Minister without Portfolio, chief government whip/ ministre sans portefeuille, whip en chef du gouvernement
Nickel Belt	Laughren, Hon/L'hon Floyd	ND	Deputy Premier, Treasurer of Ontario and Minister of Economics/ vice-premier ministre, Trésorier de l'Ontario et ministre de l'Économie
Nipissing	Harris, Michael	PC	leader of the Progressive Conservative Party/ chef du Parti progressiste-conservateur
Norfolk	Jamison, Norm	ND	parliamentary assistant to Minister of Industry, Trade and Technology/du ministre de l'Industrie, du Commerce et de la Technologie
Northumberland	Fawcett, Joan M.	L	
Oakville South/-Sud	Carr, Gary	PC	
Oakwood	Rizzo, Tony	ND	
Oriole	Caplan, Elinor	L	
Oshawa	Pilkey, Hon/L'hon Allan	ND	Solicitor General/Solliciteur général
Ottawa Centre/-Centre	Gigantes, Hon/L'hon Evelyn	ND	Minister of Housing/ministre du Logement
Ottawa East/-Est	Grandmaître, Bernard C.	L	
Ottawa-Rideau	O'Neill, Yvonne	L	
Ottawa South/-Sud	McGuinty, Dalton J.P.	L	
Ottawa West/-Ouest	Chiarelli, Robert	L	
Oxford	Sutherland, Kimble	ND	parliamentary assistant to Minister of Colleges and Universities; Vice-Chair, standing committee on finance and economic affairs/ Vice-Président du Comité permanent des finances et des affaires économiques, adjoint parlementaire du ministre des Collèges et Universités
Parkdale	Ruprecht, Tony	L	
Parry Sound	Eves, Ernie	PC	Progressive Conservative House leader/ chef parlementaire du Parti progressiste-conservateur
Perth	Haslam, Hon/L'hon Karen	ND	Minister of Culture and Communications/ ministre de la Culture et des Communications
Peterborough	Carter, Jenny	ND	parliamentary assistant to Minister of Citizenship/ adjointe parlementaire de la ministre des Affaires civiques
Port Arthur	Wark-Martyn, Hon/L'hon Shelley	ND	Minister of Revenue/ministre du Revenu
Prescott and Russell/ Prescott et Russell	Poirier, Jean	L	
Prince Edward-Lennox-South Hastings/ Prince-Edward- Lennox-Hastings-Sud	Johnson, Paul R.	ND	parliamentary assistant to the Treasurer of Ontario and Minister of Economics/adjoint parlementaire du Trésorier de l'Ontario et du ministre de l'Économie
Quinte	O'Neil, Hugh P.	L	
Rainy River	Hampton, Hon/L'hon Howard	ND	Attorney General/Procureur général
Renfrew North/-Nord	Conway, Sean G.	L	Deputy Leader of the Opposition/chef adjoint de l'opposition
Riverdale	Churley, Hon/L'hon Marilyn	ND	Minister of Consumer and Commercial Relations/ ministre de la Consommation et du Commerce
S-D-G & East Grenville/ S.-D.-G. & Grenville-Est	Villeneuve, Noble	PC	Second Deputy Chair of the Committee of the Whole House/ Deuxième Vice-Président du Comité plénier de l'Assemblée législative
St Andrew-St Patrick	Akande, Zanana	ND	parliamentary assistant to the Premier/adjoint parlementaire du premier ministre
St Catharines	Bradley, James J.	L	opposition deputy House leader/chef parlementaire de l'opposition
St. Catharines-Brock	Haeck, Christel	ND	government whip; Vice-Chair, standing committee on the Ombudsman/ whip du gouvernement, Vice-Présidente du Comité permanent de l'ombudsman
St. George-St. David	Vacant		

Constituency	Name of member	Party	Other responsibilities
Sarnia	Huget, Bob	ND	parliamentary assistant to Minister of Energy; Vice-Chair, standing committee on resources development/ adjoint parlementaire du ministre de l'Énergie, Vice-Président du Comité permanent du développement des ressources
Sault Ste Marie/ Sault-Sainte-Marie	Martin, Tony	ND	parliamentary assistant to Minister of Education/ adjoint parlementaire du ministre de l'Éducation
Scarborough-Agincourt	Phillips, Gerry	L	
Scarborough Centre/-Centre	Owens, Stephen	ND	parliamentary assistant to Minister of Financial Institutions/ adjoint parlementaire du ministre des Institutions financières
Scarborough East/-Est	Frankford, Robert	ND	
Scarborough-Ellesmere	Warner, Hon/L'hon David	ND	Speaker/Président
Scarborough North/-Nord	Curling, Alvin	L	opposition deputy whip/whip adjoint de l'opposition
Scarborough West/-Ouest	Swarbrick, Anne	ND	
Simcoe Centre/-Centre	Wessenger, Paul	ND	parliamentary assistant to Minister of Health/ adjoint parlementaire de la ministre de la Santé
Simcoe East/-Est	McLean, Allan K.	PC	Vice-Chair, standing committee on government agencies/ Vice-Président du Comité permanent des organismes gouvernementaux
Simcoe West/-Ouest	Wilson, Jim	PC	
Sudbury	Murdock, Sharon	ND	parliamentary assistant to Minister of Labour/ adjointe parlementaire du ministre du Travail
Sudbury East/-Est	Martel, Hon/L'hon Shelley	ND	Minister of Northern Development and Mines/ ministre du Développement du Nord et des Mines
Timiskaming	Ramsay, David	L	
Victoria-Haliburton	Drainville, Dennis	ND	First Deputy Chair of the Committee of the Whole House/ Premier Vice-Président du Comité plénier de l'Assemblée législative
Waterloo North/-Nord	Witmer, Elizabeth	PC	
Welland-Thorold	Kormos, Peter	ND	Chair, standing committee on resources development/ Président du Comité permanent du développement des ressources
Wellington	Arnott, Ted	PC	
Wentworth East/-Est	Morrow, Mark	ND	Chair, standing committee on the Ombudsman; Vice-Chair, standing committee on administration of justice/ Président du Comité permanent de l'ombudsman, Vice-Président du Comité permanent de l'administration de la justice
Wentworth North/-Nord	Abel, Donald	ND	government whip/whip du gouvernement
Willowdale	Harnick, Charles	PC	
Wilson Heights	Kwinter, Monte	L	
Windsor-Riverside	Cooke, Hon/L'hon David	ND	Minister of Municipal Affairs, Chair of the Management Board of Cabinet and government House leader/ministre des Affaires municipales, président du Conseil de gestion du gouvernement, et chef parlementaire du gouvernement
Windsor-Sandwich	Dadamo, George	ND	parliamentary assistant to Minister of Culture and Communications/ adjoint parlementaire de la ministre de la Culture et des Communications
Windsor-Walkerville	Lessard, Wayne	ND	parliamentary assistant to Chair of the Management Board of Cabinet/adjoint parlementaire du président du Conseil de gestion du gouvernement
York Centre/-Centre	Sorbara, Gregory S.	L	
York East/-Est	Malkowski, Gary	ND	parliamentary assistant to Minister of Citizenship/ adjoint parlementaire de la ministre des Affaires civiques
York Mills	Turnbull, David	PC	Progressive Conservative whip/whip du Parti progressiste- conservateur
York North/-Nord	Beer, Charles	L	Chair, standing committee on social development/ Président du Comité permanent des affaires sociales
York South/-Sud	Rae, Hon/L'hon Bob	ND	Premier, President of the Executive Council, Minister of Intergovernmental Affairs/premier ministre, président du Conseil des ministres, ministre des Affaires gouvernementales
Yorkview	Mammoliti, George	ND	parliamentary assistant to Minister of Correctional Services/ adjoint parlementaire du ministre des Services correctionnels

**COMMITTEES OF THE LEGISLATIVE ASSEMBLY
COMITÉS DE L'ASSEMBLÉE LÉGISLATIVE**

STANDING COMMITTEES/COMITÉS PERMANENTS

Administration of justice/Administration de la justice

Chair/Président: Mike Cooper
Vice-Chair/Vice-Président: Mark Morrow
Members/Membres: Zanana Akande, Jenny Carter, Robert Chiarelli, Mike Cooper, Alvin Curling, Charles Harnick, Steven W. Mahoney, Gary Malkowski, Mark Morrow, Robert W. Runciman, Paul Wessinger, David Winninger
Clerk/Greffière: Lisa Freedman

Estimates/Budgets des dépenses

Chair/Président: Cameron Jackson
Vice-Chair/Vice-Présidente: Margaret Marland
Members/Membres: Gilles Bisson, Gary Carr, Ron Eddy, Will Ferguson, Robert Frankford, Wayne Lessard, Lawrence O'Connor, Anthony Perruzza, David Ramsay
Clerk/Greffier: Franco Carrozza

**Finance and economic affairs/
Finances et affaires économiques**

Chair/Président: Ron Hansen
Vice-Chair/Vice-Président: Kimble Sutherland
Members/Membres: Elinor Caplan, Gary Carr, Norm Jamison, Monte Kwinter, Gerry Phillips, Norman W. Sterling, Brad Ward, Margery Ward, Jim Wiseman
Clerk/Greffier: Todd Decker

General government/Affaires gouvernementales

Chair/Président: Michael A. Brown
Vice-Chair/Vice-Président: Carman McClelland
Members/Membres: Ted Arnott, Will Ferguson, Derek Fletcher, Margaret H. Harrington, Randy R. Hope, George Mammoliti, Rosario Marchese, Bill Murdoch, Dianne Poole, John Sola
Clerk/Greffière: Deborah Deller

Government agencies/Organismes gouvernementaux

Chair/Président: Robert W. Runciman
Vice-Chair/Vice-Président: Allan K. McLean
Members/Membres: James J. Bradley, Jenny Carter, John C. Cleary, Will Ferguson, Robert Frankford, Bernard C. Grandmaître, Rosario Marchese, Chris Stockwell, Daniel Waters, Jim Wiseman
Clerk/Greffier: Douglas Arnott

Legislative Assembly/Assemblée législative

Chair/Président: Noel Duignan
Vice-Chair/Vice-Président: Mike Farnan
Members/Membres: Mike Cooper, Paul R. Johnson, Margaret Marland, Irene Mathyssen, Carman McClelland, Gord Mills, Gilles E. Morin, Stephen Owens, Barbara Sullivan, Noble Villeneuve
Clerk/Greffier: Douglas Arnott

Ombudsman/Ombudsman

Chair/Président: Mark Morrow
Vice-Chair/Vice-Présidente: Christel Haeck
Members/Membres: Zanana Akande, Dennis Drainville, Noel Duignan, D. James Henderson, Paul R. Johnson, Frank Miclash, Bill Murdoch, Anthony Perruzza, David Ramsay, Elizabeth Witmer
Clerk/Greffier: Franco Carrozza

Public accounts/Comptes publics

Chair/Président: Remo Mancini
Vice-Chair/Vice-Président: Joseph Cordiano
Members/Membres: Robert V. Callahan, W. Donald Cousens, Noel Duignan, Robert Frankford, Christel Haeck, Pat Hayes, Paul R. Johnson, Lawrence O'Connor, David Tilson
Clerk/Greffière: Tannis Manikel

**Regulations and private bills/
Règlements et projets de loi privés**

Chair/Président: Drummond White
Vice-Chair/Vice-Présidente: Ellen MacKinnon
Members/Membres: George Dadamo, Ron Eddy, Mike Farnan, Ron Hansen, W. Leo Jordan, Gord Mills, Tony Ruprecht, John Sola, Kimble Sutherland, Jim Wilson
Clerk/Greffier: Todd Decker

Resources development/Développement des ressources

Chair/Président: Peter Kormos
Vice-Chair/Vice-Président: Bob Huget
Members/Membres: Sean G. Conway, George Dadamo, W. Leo Jordan, Paul Klopp, Dalton J.P. McGuinty, Sharon Murdock, Steven Offer, David Turnbull, Daniel Waters, Len Wood
Clerk pro tem/Greffier par intérim: Todd Decker

Social development/Affaires sociales

Chair/Président: Charles Beer
Vice-Chair/Vice-Président: Hans Daigeler
Members/Membres: Dennis Drainville, Joan M. Fawcett, Tony Martin, Irene Mathyssen, Yvonne O'Neill, Stephen Owens, Drummond White, Gary Wilson, Jim Wilson, Elizabeth Witmer
Clerk/Greffière: Lynn Mellor

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